

and guidance, identify trends that affect the public, and making recommendations for NFIP program improvements. OFIA uses the Ask the Advocate Web Form as an electronic intake instrument to gather the required data for each case.

*Affected Public:* Individuals or Households; Businesses or other For-Profit.

*Estimated Number of Respondents:* 1,000.

*Estimated Number of Responses:* 1,000.

*Estimated Total Annual Burden Hours:* 83.

*Estimated Total Annual Respondent Cost:* \$3,931.

*Estimated Respondents' Operation and Maintenance Costs:* \$0.

*Estimated Respondents' Capital and Start-Up Costs:* \$0.

*Estimated Total Annual Cost to the Federal Government:* \$39,631.

#### Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Russell R. Bard,**

*Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. 2025-10281 Filed 6-5-25; 8:45 am]

**BILLING CODE 9111-52-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2817-25; DHS Docket No. USCIS-2015-0003]

RIN 1615-ZB74

### Termination of the Designation of Nepal for Temporary Protected Status

**AGENCY:** U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** Through this notice, the Department of Homeland Security (DHS) announces that the Secretary of Homeland Security (Secretary) is terminating the designation of Nepal for Temporary Protected Status (TPS). The designation of Nepal is set to expire on June 24, 2025. After reviewing country conditions and consulting with appropriate U.S. Government agencies, the Secretary has determined that Nepal no longer continues to meet the conditions for its designation for TPS. The Secretary therefore is terminating the TPS designation of Nepal as required by statute. This termination is effective August 5, 2025. After August 5, 2025, nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) who have been granted TPS under Nepal's designation will no longer have TPS.

**DATES:** The designation of Nepal for TPS is terminated effective at 11:59 p.m., local time, on August 5, 2025.

**FOR FURTHER INFORMATION CONTACT:** Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, telephone (240) 721-3000 (not a toll-free call).

#### SUPPLEMENTARY INFORMATION:

#### List of Abbreviations

CFR—Code of Federal Regulations  
DHS—U.S. Department of Homeland Security  
EAD—Employment Authorization Document  
FR—Federal Register  
FRN—Federal Register Notice  
Government—U.S. Government  
INA—Immigration and Nationality Act  
Secretary—Secretary of Homeland Security  
TPS—Temporary Protected Status  
USCIS—U.S. Citizenship and Immigration Services  
U.S.C.—United States Code

#### What is Temporary Protected Status (TPS)?

The Immigration and Nationality Act (INA) authorizes the Secretary of

Homeland Security, after consultation with appropriate agencies of the U.S. Government, to designate a foreign state (or part thereof) for TPS if the Secretary determines that certain country conditions exist. See INA sec. 244(b)(1), 8 U.S.C. 1254a(b)(1). The determination whether to designate any foreign state (or part thereof) for TPS is discretionary, and there is no judicial review of "any determination of the [Secretary] with respect to the designation, or termination or extension of a designation, of a foreign state" for TPS. INA sec. 244(b)(5)(A), 8 U.S.C. 1254a(b)(5)(A). If the Secretary designates a country for TPS, she may then grant TPS, in her discretion, to eligible nationals of that foreign state (or aliens having no nationality who last habitually resided in the designated foreign state). See INA sec. 244(a)(1)(A), 8 U.S.C. 1254a(a)(1)(A).

At least 60 days before the expiration of a foreign state's TPS designation or extension, the Secretary, after consultation with appropriate U.S. Government agencies, must review the conditions in the foreign state designated for TPS to determine whether they continue to meet the conditions for the TPS designation. See INA sec. 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). If the Secretary determines that the conditions in the foreign state continue to meet the specific statutory criteria for TPS designation, TPS will be extended for an additional period of 6 months or, in the Secretary's discretion, 12 or 18 months. See INA sec. 244(b)(3)(A), (C), 8 U.S.C. 1254a(b)(3)(A), (C). If the Secretary determines that the foreign state no longer meets the conditions for TPS designation, the Secretary must terminate the designation. See INA sec. 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B).

TPS is a temporary immigration benefit granted to eligible nationals of a country designated for TPS under the INA, or to eligible aliens without nationality who last habitually resided in the designated country. During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to work and obtain an Employment Authorization Document (EAD) so long as they continue to meet the requirements of TPS. TPS beneficiaries may also apply for and be granted travel authorization as a matter of discretion. The granting of TPS does not result in or lead to lawful permanent resident status or any other immigration status. To qualify for TPS, beneficiaries must meet the eligibility standards at INA section 244(c)(2), 8 U.S.C. 1254a(c)(2) in

accordance with the implementing regulations at 8 CFR parts 244 and 1244. When the Secretary terminates a country's TPS designation, beneficiaries return to the same immigration status or category that they maintained before TPS, if any (unless that status or category has since expired or been terminated), or any other lawfully obtained immigration status or category they received while registered for TPS, as long as it is still valid on the date TPS terminates.

### Designation of Nepal for TPS

Nepal was initially designated for TPS on June 24, 2015 for a period of 18 months, based on an earthquake that a former Secretary determined resulted in a substantial, but temporary, disruption of living conditions.<sup>1</sup> DHS then extended the designation on October 26, 2016 for an additional period of 18 months, as the former Secretary determined that the conditions in Nepal supporting the initial designation continued to be met.<sup>2</sup> On May 22, 2018, DHS announced the termination of TPS for Nepal to be effective June 24, 2019, finding that the disruption of living conditions due to the 2015 earthquake had decreased and was no longer substantial.<sup>3</sup> However, in response to litigation, DHS announced on May 10, 2019, that it would not implement or enforce the decision to terminate TPS for Nepal. DHS instead continued and extended the validity of TPS-related documentation for Nepalese beneficiaries through March 24, 2020.<sup>4</sup> On November 4, 2019, to comply with ongoing litigation, DHS further continued and extended TPS-related

documentation for Nepalese nationals and nationals of several other countries through January 4, 2021.<sup>5</sup> While litigation continued, DHS published three additional **Federal Register** Notices (FRNs) in 2020,<sup>6</sup> 2021,<sup>7</sup> and 2022,<sup>8</sup> each time extending the validity of TPS-related documentation for beneficiaries under the TPS designation of several countries, including Nepal. Finally, on June 21, 2023, DHS published a FRN reconsidering and rescinding the prior administration's termination of Nepal TPS. The rescission was effective June 9, 2023, and the new 18-month extension of TPS for Nepal began on December 25, 2023, and remains in effect through June 24, 2025.<sup>9</sup>

### Secretary's Authority To Terminate the Designation of Nepal for TPS

At least 60 days before the expiration of a country's TPS designation or extension, the Secretary, after consultation with appropriate Government agencies, must review the conditions in a foreign state designated for TPS to determine whether the conditions for the TPS designation continue to be met. *See* INA sec. 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A). If

the Secretary determines that the foreign state no longer meets the conditions for the TPS designation, the Secretary shall terminate the designation. The termination may not take effect earlier than 60 days after the date the FRN of termination is published, or if later, the expiration of the most recent previous extension of the country designation. *See* INA sec. 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B). The Secretary may determine the appropriate effective date of the termination and the expiration of any TPS-related documentation, such as EADs, issued or renewed after the effective date of the termination. *See id.*; *see also* INA sec. 244(d)(3), 8 U.S.C. 1254a(d)(3) (providing the Secretary the discretionary "option" to allow for a certain "orderly transition" period if she determines it to be appropriate).

### Reasons for the Secretary's Termination of the TPS Designation for Nepal

Consistent with INA section 244(b)(3)(A), 8 U.S.C. 1254a(b)(3)(A), after consulting with appropriate U.S. Government agencies, the Secretary reviewed conditions in Nepal and considered whether Nepal continues to meet the conditions for designation under INA section 244(b)(1)(B), 8 U.S.C. 1254(b)(1)(B). The Secretary specifically considered: (1) whether there continues to be a substantial, but temporary, disruption of living conditions in the areas affected, *see* INA section 244(b)(1)(B)(i), 8 U.S.C. 1254a(b)(1)(B)(i); and whether (2) Nepal is able to handle adequately the return of its nationals, *see* INA section 244(b)(1)(B)(ii), 8 U.S.C. 1254a(b)(1)(B)(ii).<sup>10</sup>

Based on her review and consultation with the Department of State, the Secretary determined that, overall, there are notable improvements in environmental disaster preparedness and response capacity, as well as substantial reconstruction from the earthquake's destruction such that there is no longer a disruption of living conditions and Nepal is able to handle adequately the return of its nationals.

The Secretary has determined the conditions supporting Nepal's June 24, 2015, designation for TPS on the basis of the earthquake are no longer met. The recovery efforts of the Nepalese

<sup>1</sup> *See Designation of Nepal for Temporary Protected Status*, 80 FR 36346 (June 24, 2015).

<sup>2</sup> *See Extension of the Designation of Nepal for Temporary Protected Status*, 81 FR 74470 (Oct. 26, 2016).

<sup>3</sup> *See Termination of the Designation of Nepal for Temporary Protected Status*, 83 FR 23705 (May 22, 2018).

<sup>4</sup> Pursuant to an order to stay proceedings in *Bhattarai v. Nielsen*, No. 19-cv-00731, pending resolution of related claims being litigated before the Ninth Circuit Court of Appeals in *Ramos v. Nielsen*, No. 18-16981, DHS published a notice that it would not implement or enforce the decision to terminate TPS for Nepal. *See Bhattarai v. Nielsen*, No. 19-cv-00731 (N.D. Cal. Mar. 12, 2019) and *Ramos v. Nielsen*, 326 F. Supp. 3d 1075 (N.D. Cal. 2018); *see also Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for Nepal and Honduras*, 84 FR 20647, 20648 (May 10, 2019). DHS extended the validity of TPS-related documentation for Nepalese beneficiaries through March 24, 2020. *See id.*

TPS Beneficiaries from Nepal retained TPS, provided that an alien's TPS status was not withdrawn because of ineligibility. *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for Nepal and Honduras*, 84 FR 20647, 20648 (May 10, 2019). DHS extended the validity of TPS-related documentation for Nepalese beneficiaries through March 24, 2020. *See id.*

<sup>5</sup> *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan*, 84 FR 59403 (Nov. 11, 2019).

<sup>6</sup> On December 9, 2020, DHS automatically extended the validity of TPS-related documentation for nine months through October 4, 2021 from the prior expiration date of January 4, 2021, for beneficiaries under the TPS designations of several countries including Nepalese beneficiaries. *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal*, 85 FR 79208 (Dec. 9, 2020).

<sup>7</sup> On September 10, 2021, DHS published a notice for a fifteen-month extension of TPS for aliens from several countries, including Nepal until December 31, 2022, while the preliminary injunction in *Ramos* and the *Bhattarai* orders remained in effect. Extensions were previously set to expire on October 4, 2021. *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal*, 86 FR 50725 (Sept. 10, 2021).

<sup>8</sup> On November 16, 2022, DHS published a FRN extending the validity period of TPS for covered aliens from several countries, including Nepal, through June 30, 2024 from the prior expiration date of December 31, 2022. *See Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal*, 87 FR 68717 (Nov. 16, 2022).

<sup>9</sup> *See Reconsideration and Rescission of Termination of the Designation of Nepal for Temporary Protected Status; Extension of the Temporary Protected Status Designation for Nepal*, 88 FR 40317 (June 21, 2023); *see also Extension of Re-Registration Periods for Extensions of the Temporary Protected Status Designations of El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan*, 88 FR 86665 (Dec. 14, 2023).

<sup>10</sup> *See also* E.O. 14159, *Protecting the American People Against Invasion*, sec. 16(b), 90 FR 8443, 8446 (Jan. 20, 2025; published Jan. 29, 2025) (directing that the Secretary should "ensure[e] that designations of Temporary Protected Status are consistent with the provisions of section 244 of the INA (8 U.S.C. 1254a), and that such designations are appropriately limited in scope and made for only so long as may be necessary to fulfill the textual requirements of that statute").



Government and the international community have addressed the significant damage from the April 25, 2015, earthquake. Per the Nepalese Government's September 2024 Disaster Report on reconstruction, 88.36% of damaged households have been rebuilt.<sup>11</sup> According to the Internal Displacement Monitoring Centre, while some of the people displaced by the earthquake continue to experience ongoing socioeconomic impacts, 90% of the surveyed internally displaced people had bought a new home.<sup>12</sup> In the health sector, 81.43% of damaged facilities have been reconstructed.<sup>13</sup> The World Bank and other donors built more than 300,000 houses and provided technical assistance to communities and local governments.<sup>14</sup> Nepal's National Reconstruction Authority disbanded in 2021 after most impacted structures were rebuilt.<sup>15</sup>

Though Nepal has continued to experience subsequent regional environmental events, including flooding and landslides, the government has made improvements to its preparedness and response capacity. Similar progress has been made in building disaster-resilient housing, infrastructure, and community systems, thus creating a safer and more stable environment for returnees.<sup>16</sup>

Conditions in Nepal have improved in several areas relevant to the affected living conditions and Nepal's ability to handle the return of its nationals. Though Nepal remains one of the poorest countries in the world, its gross domestic product grew two percent from Fiscal Year (FY) 2023 to FY 2024.<sup>17</sup> Nepal's economic growth has been steady in recent years and is forecast to grow at a rate of 4.9% this year.<sup>18</sup> In 2024, inflation also decreased<sup>19</sup> and purchasing power of lower-income households increased.<sup>20</sup>

Additionally, Nepal has been regularly accepting the return of its nationals with final removal orders over the last five years. DHS estimates that there are approximately 12,700 nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) who hold TPS under Nepal's designation. Of those, approximately 5,500 have become lawful permanent residents of the United States.

#### Effective Date of Termination of the TPS Designation

The TPS statute provides that the termination of a country's TPS designation may not be effective earlier than 60 days after the FRN is published or, if later, the expiration of the most recent previous extension. *See* INA sec. 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B).

The Secretary may determine the appropriate effective date of the termination and the expiration of any TPS-related documentation, such as EADs, for the purpose of providing for an orderly transition. *See id.*; INA sec. 244(d)(3), 8 U.S.C. 1254a(d)(3). Given the Secretary's finding that there is no longer an environmental disaster or other situation causing substantial, but temporary, disruption of living conditions and that Nepal can adequately handle the return of its nationals, and considering other relevant factors, the Secretary has determined that a 60-day transition

period is sufficient and in accord with Executive Order 14159.<sup>21</sup> Accordingly, the termination of the Nepal TPS designation will be effective 60 days from the publication date of this notice in the **Federal Register**.<sup>22</sup>

The Secretary has considered whether there are any putative reliance interests in the Nepal TPS designation, especially when considering whether to allow for an additional transition period akin to that allowed under certain previous TPS terminations, including that for Nepal.<sup>23</sup> Temporary Protected Status, as the name itself makes clear, is an inherently temporary status. TPS designations are time-limited and must be periodically reviewed. *See* INA sec. 244(b)(3), 8 U.S.C. 1254a(b)(3). TPS notices clearly notify aliens of the designations' expiration dates, and whether to allow for an orderly transition period is left to the Secretary's unfettered discretion. *See* INA sec. 244(b)(3), (d)(3); 8 U.S.C. 1254a(b)(3), (d)(3). The statute inherently contemplates advance notice of a termination by requiring the Secretary to make a decision at least 60 days before the current expiration date and delaying the effective termination date by at least 60 days after publication of a **Federal Register** notice of the termination or, if later, the existing expiration date. *See* INA sec. 244(b)(3), (d)(3); 8 U.S.C. 1254a(b)(3), (d)(3).<sup>24</sup>

<sup>21</sup> *See supra* note 10.

<sup>22</sup> *See* 8 CFR 244.19 ("Upon the termination of designation of a foreign state, those nationals afforded temporary Protected Status shall, upon the sixtieth (60th) day after the date notice of termination is published in the **Federal Register**, or on the last day of the most recent extension of designation by the [Secretary of Homeland Security], automatically and without further notice or right of appeal, lose Temporary Protected Status in the United States. Such termination of a foreign state's designation is not subject to appeal.")

<sup>23</sup> *See Termination of the Designation of Nepal for Temporary Protected Status*, 83 FR 23705 (May 22, 2018) (providing a 12-month transition period).

<sup>24</sup> DHS recognizes that certain previous TPS terminations allowed for an extended transition. *See, e.g., Termination of the Designation of El Salvador for Temporary Protected Status*, 83 FR 2654 (Jan. 18, 2018) (nearly 17 years, with 18-month transition period); *Termination of the Designation of Sudan for Temporary Protected Status*, 82 FR 47228 (Oct. 11, 2017) (20 years, with 12-month orderly transition period); *Termination of the Designation of Sierra Leone Under the Temporary Protected Status Program; Extension of Employment Authorization Documentation*, 68 FR 52407 (Sept. 3, 2003) (nearly 6 years, with 6-month orderly transition period); *Six-Month Extension of Temporary Protected Status Benefits for Orderly Transition Before Termination of Liberia's Designation for Temporary Protected Status*, 81 FR 66059 (Sept. 26, 2016) (nearly 2 years, with 6-month orderly transition period); *Termination of the Designation of Nepal for Temporary Protected Status*, 83 FR 23705 (May 22, 2018) (4 years, with 12-month orderly transition period). At the same time, certain other TPS designations were terminated without allowing for an extended

Continued

<sup>11</sup> *See* Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited Mar. 18, 2025).

<sup>12</sup> *See* Internal Displacement Monitoring Centre, Disaster Displacement: Nepal Country Briefing (Dec. 13, 2022), available at: <https://www.internal-displacement.org/publications/disaster-displacement-nepal-country-briefing/> (last visited Mar. 19, 2025).

<sup>13</sup> *See* Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited Mar. 18, 2025).

<sup>14</sup> *See* World Bank, Nepal—Earthquake Housing Reconstruction Project: Final Implementation Review and Support, March 2023, available at: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099050823052022936/p1559690634ae900f08b5d062bf08a958f6> (last visited Mar. 18, 2025).

<sup>15</sup> *See* Lessons in Earthquake Reconstruction: Five Proven Approaches from Nepal, The World Bank, Dec. 1, 2021, available at: <https://www.worldbank.org/en/news/feature/2021/12/01/lessons-in-earthquake-reconstruction-five-proven-approaches-from-nepal#:~:text=The%20World%20Bank's%20Earthquake%20Housing,million%20Multi%20Donor%20Trust%20Fund> (last visited Mar. 18, 2025); *see also*, Resource Guide: Nepal's Journey from Post-Earthquake Reconstruction to Resilience, The World Bank, available at: <https://www.worldbank.org/en/country/nepal/brief/post-earthquake-reconstruction-in-nepal> (last visited Mar. 18, 2025).

<sup>16</sup> *See* Asian Development Bank, Asian Development Bank and Nepal: Fact Sheet, August 2024, available at: <https://www.adb.org/publications/nepal-fact-sheet> (last visited Mar. 18, 2025).

<sup>17</sup> *See* Nepal Development Update (October 2024), The World Bank, available at: <https://www.worldbank.org/en/country/nepal/publication/nepaldevelopmentupdate> (last visited Mar. 19, 2025).

<sup>18</sup> *See* Nepal GDP: \$148 Billion, World Economics, available at: <https://www.worlddeconomics.com/GrossDomesticProduct/Real-GDP-PPP/Nepal.aspx> (last visited Mar. 26, 2025).

<sup>19</sup> *See* Nepal Development Update (October 2024), The World Bank, available at: <https://www.worldbank.org/en/country/nepal/publication/nepaldevelopmentupdate> (last visited Mar. 19, 2025).

<sup>20</sup> *See* Situation Report on Nepal's Agrifood Systems (July 2024), Feed the Future, available at: <https://csisa.org/wp-content/uploads/sites/2/2024/08/240801-CSISA-SIT-REP-JUL.pdf> (last visited Mar. 19, 2025).

However, DHS recognizes that TPS Nepal beneficiaries continue to be employment authorized during the 60-day transition period.<sup>25</sup> Accordingly, through this **Federal Register** notice, DHS automatically extends the validity of certain EADs previously issued under the TPS designation of Nepal through August 5, 2025. Therefore, as proof of continued employment authorization through August 5, 2025, TPS beneficiaries can show their EADs that have the notation A–12 or C–19 under Category and a “Card Expires” date of June 24, 2018, June 24, 2019, March 24, 2020, January 4, 2021, October 4, 2021, December 31, 2022, June 30, 2024, and June 24, 2025.

#### Notice of Termination of the TPS Designation of Nepal

By the authority vested in the Secretary of Homeland Security under INA section 244(b)(3), 8 U.S.C. 1254a(b)(3), and in consultation with appropriate agencies of the U.S. Government, I have reviewed conditions in Nepal and considered (a) whether there continues to be a substantial, but temporary, disruption of living conditions in the areas affected in Nepal, and (b) whether the state of Nepal is unable, temporarily, to handle adequately the return to Nepal of its nationals. Based on my review, I have determined that Nepal no longer continues to meet the conditions for the designation for Temporary Protected Status (TPS) under INA section 244(b)(1)(B), 8 U.S.C. 1254a(b)(1)(B).

Accordingly, I order as follows:

(1) Pursuant to INA section 244(b)(3)(B), 8 U.S.C. 1254a(b)(3)(B), and considering INA section 244(d)(3), 8 U.S.C. 1254a(d)(3), the designation of Nepal for TPS is terminated effective at 11:59 p.m., local time, on August 5, 2025.

(2) Information concerning the termination of TPS for nationals of Nepal (and aliens having no nationality who last habitually resided in Nepal) will be available at local USCIS offices upon publication of this notice and through the USCIS Contact Center at 1–800–375–5283. This information will be

published on the USCIS website at [www.USCIS.gov](http://www.USCIS.gov).

**Kristi Noem,**

*Secretary of Homeland Security.*

[FR Doc. 2025–10363 Filed 6–5–25; 8:45 am]

**BILLING CODE 9111–97–P**

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7094–N–05; OMB Control No. 2506–0213]

#### 60-Day Notice of Proposed Information Collection: Veterans Housing Rehabilitation and Modification and Pilot Program

**AGENCY:** Office of Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

**DATES:** *Comments Due Date:* August 5, 2025.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to [www.regulations.gov](http://www.regulations.gov). Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Urnell Johnson, Paperwork Reduction Act Liaison, Department of Housing and Urban Development, 451 7th Street SW, Room 7232, Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:** Holly A. Kelly, Director, Office of Rural Housing and Economic Development (ORHED), 451 7th Street SW, Washington, DC 20410; email [Holly.A.Kelly@hud.gov](mailto:Holly.A.Kelly@hud.gov), telephone (202) 402–6324. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or

communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of available documents submitted to OMB may be obtained from Holly Kelly.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

#### A. Overview of Information Collection

*Title of Information Collection:* Veterans Housing Rehabilitation and Modification and Pilot Program.

*OMB Approval Number:* 2506–0213.

*Type of Request:* Extension of a currently approved collection.

*Form Number:* HUD 2880; HUD 27061; HUD 27300; and HUD–50153.

*Description of the need for the information and proposed use:* The Veterans Housing Rehabilitation and Modification Pilot Program funding in fiscal year 2023 was provided under the Further Consolidated Appropriations Act, 2020 (Pub. L. 116–94, approved December 20, 2019), the Consolidated Appropriations Act of 2018 (Pub. L. 115–141), and the Consolidated Appropriations Act, 2019 (Pub. L. 116–6). The purpose of VHRMP is to award grants to nonprofit veteran’s service organizations to rehabilitate and modify the primary residence of disabled and low-income veterans. The program goal is to support eligible activities that serve the following objectives: (1) modify and rehabilitate the primary residence of disabled and low-income veterans; (2) rehabilitate such residence that is in a state of interior and exterior disrepair; and (3) install energy efficient features or equipment. Information is required to rate and rank competitive applications and to ensure eligibility of applicants for funding. Quarterly reporting is required to monitor grant management.

*Respondents:* Public, Not-for-profit institutions.

*Estimated Number of Respondents:* 25.

*Estimated Number of Responses:* 25.

*Frequency of Response:* 4.

*Average Hours per Response:* 7.75.

*Total Estimated Burden Hours:* 343.50.

transition period. See, e.g., *Termination of Designation of Angola Under the Temporary Protected Status Program*, 68 FR 3896 (Jan. 27, 2003) (nearly 3 years, no orderly transition period);

*Termination of Designation of Lebanon Under Temporary Protected Status Program*, 58 FR 7582 (Feb. 8, 1993) (2 years, no extended transition period).

<sup>25</sup> See INA 244(a)(1)(B), 8 U.S.C. 1254a(a)(1)(B); see also 8 CFR 244.13(b).



**Decision Document**

**USCIS Notice: Termination of the Designation of Nepal for Temporary Protected Status**

  
05/29/25

(1) Approve the notice for publication in the *Federal Register* and (2) Direct ESEC to use the Federal Register Signature Card to electronically sign the notice.



**THE SECRETARY OF STATE  
WASHINGTON**

January 16, 2025

The Honorable  
Alejandro N. Mayorkas  
Secretary of the Department of Homeland Security  
Washington, DC 20528

Dear Secretary Mayorkas:

The Department of State assesses that, while Nepal continues to face ongoing challenges, there is no longer an environmental disaster in Nepal causing a substantial, but temporary, disruption of living conditions, and that Nepal is currently able to handle adequately the return of its nationals. The Department therefore supports the termination of Temporary Protected Status (TPS) for Nepal based on environmental disaster and recommends a delayed effective date of 18 months to provide time for both beneficiaries and the Government of Nepal to prepare for returns.

The 7.8 magnitude "Gorkha" earthquake in April 2015 and subsequent aftershocks in Nepal killed nearly 9,000 people, affected eight million people, and caused extensive damage to infrastructure. This substantial, but temporary, disruption of living conditions made it unsafe for nationals in the United States to return to Nepal and led to the designation of TPS for Nepal on June 24, 2015. Following recovery efforts by the Government of Nepal and the international community, these conditions resulting from the 2015 earthquake have abated to the point where they are no longer causing a substantial disruption in living conditions that would make Nepal unable to handle the return of its nationals.

The UN flash appeal launched in April 2015 to provide critical life-saving services to millions of people affected by the earthquake concluded in September 2015. Donors contributed \$280.2 million against the \$421.9 million appeal (66.4 percent funded). Humanitarian assistance



reached 3.7 million people under the appeal. Nepal's National Reconstruction Authority, which the Government of Nepal established in 2015 to manage Nepal's recovery from the earthquake, disbanded in 2021 and handed over responsibilities to the National Disaster Risk Reduction and Management Authority after rebuilding had been completed for the majority of impacted structures.

Given that the conditions which led to the designation of Nepal for TPS no longer prevent Nepal from adequately handling the return of its nationals, I recommend you terminate TPS for Nepal with an 18-month wind-down period. To help inform your decision, the Department has prepared the attached country conditions assessment.

Sincerely,

  
Antony J. Blinken

(U) DEPARTMENT OF STATE RECOMMENDATION REGARDING  
TEMPORARY PROTECTED STATUS (TPS) FOR NEPAL – DECEMBER 20, 2024

**I. Statutory Basis for Designation**

*Have the conditions under which the foreign state was designated for Temporary Protected Status ceased to exist?*

(SBU) Yes.

**A) Armed conflict**

1. Is the foreign state still involved in an ongoing, internal, armed conflict?

(U) N/A.

2. If so, would the return of nationals of the foreign state to that state (or to the part of the state) still pose a serious threat to their personal safety?

(U) N/A.

**B) Environmental Disaster**

1. Does there continue to be a substantial, but temporary, disruption of living conditions in the foreign state affected by an earthquake, flood, drought, epidemic, or other environmental disaster?

(SBU) No. The 7.8 magnitude “Gorkha” earthquake in April 2015 and subsequent aftershocks in Nepal killed nearly 9,000 people, affected eight million people, and caused extensive damage to infrastructure. This substantial, but temporary, disruption of living conditions made it unsafe for nationals in the United States to return to Nepal and led to the designation of TPS for Nepal on June 24, 2015. While some aspects of the situation in Nepal remain challenging, following recovery efforts by the Government of Nepal and the international community, conditions in Nepal resulting from the 2015 earthquake no longer are causing a



substantial disruption of living conditions making it unsafe for nationals in the United States to return to Nepal.

(U) The UN flash appeal launched in April 2015 to provide critical life-saving services to millions of people affected by the earthquake concluded in September 2015.<sup>1</sup> Donors contributed \$280.2 million against the \$421.9 million appeal (66.4 percent funded).<sup>2</sup> Humanitarian assistance reached 3.7 million people under the appeal. According to the final Displacement Tracking Matrix report issued by the International Organization for Migration (IOM) on December 30, 2016, 15,595 earthquake-affected people remained displaced as of December 10, 2016, representing only 13 percent of those who were displaced at the time of the TPS designation.<sup>3</sup>

(U) The World Bank reported it provided the largest financial support to the Government of Nepal on post-earthquake recovery and reconstruction through the Earthquake Housing Reconstruction Project, which ran from June 2015 to June 2023.<sup>4</sup> One of the largest post-disaster owner-driven housing reconstruction initiatives in the world, the \$700 million IDA credit and \$34.45 million Multi-donor Trust Fund built more than 300,000 houses and provided technical assistance to communities and local governments for a resilient recovery. In 2021, the Government of Nepal updated the national building code with the 2015 earthquake in mind, adding criteria to ensure buildings are safe and earthquake resilient.<sup>5</sup>

(U) Nepal's National Reconstruction Authority (NRA), which the Government of Nepal established in 2015 to manage Nepal's recovery from the earthquake, disbanded in 2021 and handed over responsibilities to the National Disaster Risk Reduction and Management Authority (NDRRMA).<sup>6</sup> At the end of the NRA's

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<sup>1</sup> [Nepal Earthquake Humanitarian Response: April to September 2015 | OCHA](#)

<sup>2</sup> [Nepal Earthquake Flash Appeal 2015 | Financial Tracking Service](#)

<sup>3</sup> [Nepal — Earthquake Displacement Report 9 \(28 November—10 December 2016\) | Displacement Tracking Matrix](#)

<sup>4</sup> [Resource Guide: Nepal's Journey from Post-Earthquake Reconstruction to Resilience](#)

<sup>5</sup> [Nepal: National Building Code Updated - Seismic Design of Buildings - World Organization of Building Officials - WOBO](#)

<sup>6</sup> [NRA's term comes to an end - The Himalayan Times - Nepal's No.1 English Daily Newspaper | Nepal News, Latest Politics, Business, World, Sports, Entertainment, Travel, Life Style News](#)

tenure, it said rebuilding had been completed for 100 percent of security force buildings, 92 percent of private housing, 92 percent of government buildings, 85 percent of archaeological sites, 85 percent of educational buildings, 80 percent of health institutions, and 60 percent of integrated settlements. In April 2022, the Chief Executive of the NDRRMA, Anil Pokhrel, said as part of the post-earthquake reconstruction campaign, the government had built more than 800,000 earthquake-resilient houses, 7,000 earthquake-safe schools, 750 health facilities, and 650 government buildings. He said now that they had wrapped up post-earthquake recovery and reconstruction, they should focus on building a more resilient Nepal.<sup>7</sup> It is unclear whether rebuilding was fully completed, particularly in remote areas, which often have poorer infrastructure and lesser access to services than metropolitan areas.

(U) According to the UN Office for the Coordination of Humanitarian Affairs, at the height of the emergency, approximately 188,900 people were temporarily displaced.<sup>8</sup> By comparison, according to the Internal Displacement Monitoring Centre (IDMC), in 2022 the total number of people internally displaced due to any disasters was 58,000 and by 2023 was 43,000.<sup>9</sup> Furthermore, the IDMC conducted a study in 2022 on the people displaced from the 2015 earthquake and found that at the time of the study, although this group continued to experience some ongoing socioeconomic impacts from the earthquake, 90% of the surveyed IDPs had bought a new home.<sup>10</sup>

(U) The 2015 earthquake likely left some areas at increased risk of fissures or landslides. A 2023 paper in the Environmental Earth Sciences journal said there has been an increase in landslides in Nepal following the earthquake.<sup>11</sup> In August 2023, Nepali media reported villagers in Gorkha, the epicenter of the earthquake, were displaced after their homes built after the earthquake started developing cracks.<sup>12</sup> Overall, Nepal remains highly prone to environmental disasters.

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<sup>7</sup> <https://nepalitimes.com/opinion/rebuilding-resilience-7-years-later>

<sup>8</sup> <https://www.unocha.org/publications/report/nepal/nepal-earthquake-humanitarian-response-april-september-2015>

<sup>9</sup> <https://www.internal-displacement.org/database/displacement-data/>

<sup>10</sup> <https://www.internal-displacement.org/publications/disaster-displacement-nepal-country-briefing/>

<sup>11</sup> [Trends in the occurrence of landslides in Nepal from 2011 to 2020](#)

<sup>12</sup> [They were struck by earthquakes in 2015, now the ground beneath them is crumbling](#)

(U) In September 2024, two and a half days of record-breaking rainfall across eastern and central Nepal caused widespread flooding and localized landslides. According to the UN, 246 people were killed and 10,807 households were displaced.<sup>13</sup> The disaster caused extensive damage to energy infrastructure, roads and bridges, agriculture, schools, and health facilities. It affected 21 districts, seven of which were severely affected, including some of the same districts most affected by the 2015 earthquake. The Government of Nepal did not request international humanitarian assistance, which likely reflects not only the different scale of the disaster compared to the 2015 earthquake, but also the government's progress in its own preparedness and response capacity.

(U) Nepal shows improvement in several health indicators post-COVID-19 pandemic. The number of dengue fever cases has decreased from a high of 54,784 cases in 2022 to a total of 34,385 as of December 3, 2024.<sup>14 15</sup> According to data from Johns Hopkins University, Nepal had a 7-day average of daily deaths from COVID-19 of zero in March 2023 (when data stopped being tracked), down from a high of 201 in May 2021, and 14 in February 2022 during the last recorded spike.<sup>16</sup>

2. Is the foreign state still unable, temporarily, to handle adequately the return to the state of nationals of the state?

(SBU) No. While Nepal faces many challenges, it is able to adequately handle the return of its nationals. Conditions are broadly similar to what they were prior to the 2015 earthquake. Nepal continues to recover from the impacts of the COVID-19 pandemic and Russia's war against Ukraine on its society and economy. Unemployment has dropped from 13.2 percent in 2020 during the COVID-19

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<sup>13</sup> [Nepal: Humanitarian Needs and Priorities - Floods Response Plan, Oct - Dec 2024 \(Issued 7 October 2024\) - Nepal | ReliefWeb](#)

<sup>14</sup> <https://www.ecdc.europa.eu/en/dengue-monthly#:~:text=According%20to%20the%20Epidemiology%20and,reported%20until%203%20December%202024>

<sup>15</sup> <https://pubmed.ncbi.nlm.nih.gov/39722754/>

<sup>16</sup> <https://coronavirus.jhu.edu/region/nepal>



pandemic to 10.7 percent in 2023.<sup>17</sup> The Nepal Rastra Bank raised the policy rate in FY2023 and rolled back its lending to banks which had increased fivefold during the COVID-19 pandemic.<sup>18</sup> In August 2024, Nepal passed transitional justice legislation, marking a significant step towards truth, justice, reconciliation, and completion of its peace process following the 1996-2006 Maoist insurgency. It is now working on implementation, beginning with the selection of commissioners for the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons.

(U) Nepal remains one of the poorest countries in the world, and its economy suffers from high inflation and slow growth. It is experiencing a mass exodus of young people seeking employment in India, Gulf states, and elsewhere. Nepal's Department of Immigration reported 808,415 Nepalis left the country for overseas employment in 2023.<sup>19</sup> According to IOM, more than two million Nepalis live abroad, and Nepal relies heavily on their remittances.<sup>20</sup> In 2023, Nepal received approximately \$11 billion in remittances, which accounted for more than 26 percent of the country's gross domestic product. Given these conditions, returning nationals may struggle to find high-paying jobs in Nepal. The average annual income in Nepal is approximately \$1,430.<sup>21</sup>

(U) Despite these challenges, Nepal's economic conditions show improvement in some measures. According to reporting from the World Bank, Nepal's real GDP growth increased to 3.9 percent in FY24, up from two percent in FY23.<sup>22</sup> Inflation decreased from 7.7 percent in FY23 to 5.7 percent in FY24.<sup>23</sup> In 2024 the purchasing power of lower-income households improved as compared to 2023, bolstered by remittances and a decrease in the Consumer Price Index.<sup>24</sup>

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<sup>17</sup> <https://data.worldbank.org/country/nepal>

<sup>18</sup> <https://www.adb.org/outlook/editions/april-2024>

<sup>19</sup> [1.6 million Nepalis left the country in 2023 - OnlineKhabar English News](#)

<sup>20</sup> [Nepal on the Right Track to Achieve Cost-effective Remittance | IOM Regional Office for Asia and the Pacific](#)

<sup>21</sup> <https://www.worlddata.info/average-income.php>

<sup>22</sup> <https://www.worldbank.org/en/country/nepal/publication/nepaldevelopmentupdate>

<sup>23</sup> <https://www.worldbank.org/en/country/nepal/publication/nepaldevelopmentupdate>

<sup>24</sup> <https://csisa.org/wp-content/uploads/sites/2/2024/08/240801-CSISA-SIT-REP-JUL.pdf>

(U) The agriculture outlook for Nepal has shown modest improvement. According to data from the Food and Agriculture Organization of the United Nations, cereal yields in Nepal increased in 2023 to 3,344 million kilograms per hectare, up from 3,218 million in 2022.<sup>25</sup> Global prices for fertilizers returned to 2021 levels in 2023 after surging in 2022 following Russia's invasion of Ukraine.<sup>26</sup> The Nepali Ministry of Agriculture and Livestock Development reported that during 2023 fertilizer availability in the market improved compared to previous years, providing easier access for farmers who were previously struggling to get fertilizers.<sup>27</sup> By mid-June 2024, 389,498 metric tons (MT) of chemical fertilizer had been imported, covering 65 percent of the annual demand, with an additional 131,000 MT expected to arrive by late June, reducing the shortfall to approximately 13 percent of the annual requirement.<sup>28</sup>

3. Does the foreign state continue to support the TPS designation for its nationals in the United States?

(U) Yes.

### **C. Extraordinary and Temporary Conditions**

1. Has the foreign state continued to experience extraordinary and temporary conditions that prevent nationals of the state from returning to the state in safety?

(U) N/A.

2. Would permitting nationals of the foreign state to remain temporarily in the United States be contrary to the national interest of the United States?

(U) N/A.

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<sup>25</sup> <https://www.fao.org/faostat/en/#country/149>

<sup>26</sup> <https://www.ers.usda.gov/amber-waves/2023/september/global-fertilizer-market-challenged-by-russia-s-invasion-of-ukraine/>

<sup>27</sup> <https://risingnepaldaily.com/news/36698>

<sup>28</sup> <https://www.iids.org.np/images/publications/7d88c042b83460b55b86b429f9081803.pdf>

## **II. Discretionary Factors**

What, if any, additional information relevant to this decision should be brought to the attention of the Department of Homeland Security?

(SBU) Given the substantial amount of time that has passed since the initial designation, an eighteen-month transition period would give both TPS beneficiaries and the Government of Nepal adequate time to prepare for returns. Nepali TPS beneficiaries would need time to make travel arrangements, sell property, and conclude any employment contracts. According to data from FWD.us, there are approximately 10,000 U.S. citizen children of Nepali TPS beneficiaries, and advance notice of a termination would give them time to complete the school year and obtain travel documents before departing. Furthermore, a substantial wind-down period would help U.S. government messaging to the Government of Nepal.

## **III. Recommendation**

(SBU) For the reasons described herein, the Department does not recommend that the Nepal TPS designation be extended. To provide time for the Government of Nepal to prepare for the return of its nationals, the Department recommends providing more than the required 60 days' notice of termination. The Department therefore recommends that TPS for Nepal be terminated with a delayed effective date of 18 months.



U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Refugee, Asylum and International Operations Directorate  
5900 Capital Gateway Drive  
Camp Springs, MD 20529



U.S. Citizenship  
and Immigration  
Services

## Nepal: Temporary Protected Status (TPS) Country of Origin Information (COI) Considerations<sup>1</sup>

### Overview

An earthquake of magnitude 7.8 struck Nepal on April 25, 2015.<sup>2</sup> Estimates placed the quake's epicenter 77 to 81 kilometers (km) northwest of Kathmandu, Nepal's capital.<sup>3</sup> Dozens of aftershocks followed, including one of magnitude 7.3 on May 12, 2015.<sup>4</sup> According to early estimates, over 8 million people—roughly 25% to 33% of Nepal's population—were affected in 39 of Nepal's 77 districts. Over 2 million people lived in the 11 most critically hit districts. In these districts, half of the population was initially estimated to be affected.<sup>5</sup>

In 2016, data from the government of Nepal indicated that about 600,000 homes had been destroyed in the 2015 earthquake, and 280,000 more had been badly damaged.<sup>6</sup> Approximately 9,000 people were killed and "[w]hole towns, centuries-old temples and other historic sites were reduced to rubble then, with more than a million houses destroyed, at a cost to the economy of \$6 billion."<sup>7</sup>

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<sup>1</sup> The reporting period for this report is December 24, 2016, to March 10, 2025.

<sup>2</sup> More than 1900 killed by 7.8 magnitude quake in Nepal, Washington Post, Apr. 26, 2015, available at: [https://www.washingtonpost.com/world/magnitude-79-earthquake-hits-densely-populated-area-of-nepal/2015/04/25/1c1b3f46-cb21-11e4-9a6a-c1ab95a0600b\\_story.html](https://www.washingtonpost.com/world/magnitude-79-earthquake-hits-densely-populated-area-of-nepal/2015/04/25/1c1b3f46-cb21-11e4-9a6a-c1ab95a0600b_story.html) (last visited March 18, 2025).

<sup>3</sup> UN Nepal Earthquake Flash Appeal, U.N. Development Program, Jul. 28, 2017, available at: <https://www.undp.org/publications/un-nepal-earthquake-flash-appeal>.

<sup>4</sup> Deadly aftershock rocks Nepal, CBS News, May 14, 2015, available at: <https://www.cbsnews.com/pictures/earthquake-rocks-nepal/> (last visited March 18, 2025).

<sup>5</sup> UN Nepal Earthquake Flash Appeal, U.N. Development Program, Jul. 28, 2017, available at: <https://www.undp.org/publications/un-nepal-earthquake-flash-appeal> (last visited March 18, 2025).

<sup>6</sup> One year after Nepal's devastating quake, victims still wait to rebuild, Christian Science Monitor, Apr. 25, 2016, available at: <https://www.csmonitor.com/World/Asia-South-Central/2016/0425/One-year-after-Nepal-s-devastating-quake-victims-still-wait-to-rebuild> (last visited March 18, 2025).

<sup>7</sup> Gopal Sharma, Nepal earthquake kills at least 128, toll could rise, officials say, Reuters, Nov. 4, 2023, available at: <https://www.reuters.com/business/environment/nepal-hit-by-64-earthquake-felt-new-delhi-2023-11-03/> (last visited March 18, 2025).

The most recent earthquake to strike Nepal was the Jajarkot earthquake in November 3, 2023, which registered a magnitude of 6.4, killing over 100 people and injuring dozens, particularly in the western regions.<sup>8</sup> The western region is sparsely populated especially compared to the region hit in 2015. According to Reuters:

At least 128 people were killed and dozens injured in Nepal when a strong earthquake struck the western area of Jajarkot, officials said on Saturday, as houses in the area collapsed and buildings as far as New Delhi in neighboring India shook. The quake occurred at 11:47 p.m. (1802 GMT) on Friday with a magnitude 6.4, Nepal's National Seismological Centre said. The German Research Centre for Geosciences measured the quake at 5.7, downgrading it from 6.2, while the U.S. Geological Survey pegged it at 5.6. The quake is the deadliest since 2015.<sup>9</sup>

The United Nations Resident Coordinator's Office (UNRCO) in Nepal issued a Situation Report on November 16, 2023, providing a situation overview and other information:

After the initial magnitude 6.4 earthquake that struck the districts of Jajarkot, Rukum West and Salyan of Karnali Province in western Nepal on 3 November, a series of over 350 aftershocks further damaged already partially damaged homes and buildings, forcing people to sleep outside in freezing overnight temperatures. A week and a half after the initial earthquake, the Government-led life-saving phase of the response is concluding, with the Government and humanitarian partners now shifting their efforts to reconstruction and recovery with a focus on the winterization of transitional shelters for those that cannot return to their homes.

According to the [National Emergency Operations Centre], by 15 November, approximately 62,000 homes were affected (35,455 partially damaged, 26,557 completely damaged) by the earthquake.<sup>10</sup>

In addition, Nepal encountered a major flash flooding event that struck the capital Kathmandu and other areas in September 2024.<sup>11</sup>

### **2015 Earthquake Recovery**

In September 2024, the Government of Nepal Ministry of Home Affairs published a Nepal Disaster Report that focused on reconstruction, stating:

<sup>8</sup> U.N. Office for the Coordination of Humanitarian Affairs, Nepal: Earthquake – Nov 2023, available at: <https://reliefweb.int/disaster/eq-2023-000214-npl> (last visited March 18, 2025).

<sup>9</sup> Gopal Sharma, Nepal earthquake kills at least 128, toll could rise, officials say, Reuters, Nov. 4, 2023, available at: <https://www.reuters.com/business/environment/nepal-hit-by-64-earthquake-felt-new-delhi-2023-11-03/> (last visited March 18, 2025).

<sup>10</sup> UNOCHA, Nepal: Western Nepal Earthquake 2023 – Situation Report No. 03, as of 16 November 2023, available at: <https://reliefweb.int/report/nepal/nepal-western-nepal-earthquake-2023-situation-report-no-03-16-november-2023> (last visited March 18, 2025).

<sup>12</sup> Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited March 18, 2025).

Nepal's reconstruction and recovery efforts have rapidly evolved over the past six years, marked by significant achievements in rebuilding and restoring infrastructure through the 'Build Back Better' principle. This approach, which emphasizes resilience and owner-driven methods, has led to the reconstruction of over eight hundred thousand private houses. The comprehensive recovery and reconstruction activities following the 2015 earthquake have made substantial progress across various sectors. Specifically, out of the 833,821 damaged households, 736,767 have been successfully reconstructed, representing an impressive 88.36% completion rate. In the health sector, 925 of the 1,136 damaged facilities have been rebuilt, achieving an 81.43% completion rate.<sup>12</sup>

In August 2024, the Asian Development Bank (ADB) published a fact sheet highlighting its critical role in Nepal's recovery and development since the 2015 earthquake, with \$5.9 billion in aid. Key projects include enhancing road infrastructure, strengthening public financial management, and rebuilding essential sectors like healthcare and education.<sup>13</sup> These initiatives have supported Nepal's economic growth and resilience, enabling sustainable development and improved disaster readiness.<sup>14</sup>

A study of reconstruction progress five years after the earthquake, published in March 2022, concluded the following:

The National Reconstruction Authority (NRA) was established to lead the post-earthquake recovery and reconstruction and complete it within five years. Official reports from Nepalese government institutions, national and international authorities, government databases and research papers on the Gorkha earthquake were reviewed. The numbers of various infrastructures reconstructed and under construction each year after the earthquake and the reconstruction processes adopted are presented. *The results show that 67% of private houses, 74% of educational institutions and 58% of health facilities were reconstructed in the five years* (emphasis added).<sup>15</sup>

Similarly, as of April 2021, according to a disaster risk management analyst for the World Bank:

Six years on, Nepal's post-earthquake housing reconstruction [was] nearly complete. Ninety-two percent of the targeted population [were] on track to move in refurbished and resilient houses. In the final reconstruction stretch, the teams mobilized by Nepal Reconstruction Authority (NRA) under the World Bank-supported Nepal Earthquake

<sup>12</sup> Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited March 18, 2025).

<sup>13</sup> Asian Development Bank, Asian Development Bank and Nepal: Fact Sheet, August 2024, available at: <https://www.adb.org/publications/nepal-fact-sheet> (last visited March 18, 2025).

<sup>14</sup> Asian Development Bank, Asian Development Bank and Nepal: Fact Sheet, August 2024, available at: <https://www.adb.org/publications/nepal-fact-sheet> (last visited March 18, 2025).

<sup>15</sup> Prabin Acharya et al, Reviewing the progress of reconstruction five years after the 2015 Gorkha earthquake, Nepal, Building Research & Information, Vol. 50, Issue 6, 2022, available at: <https://www.tandfonline.com/doi/abs/10.1080/09613218.2022.2043139> (last visited March 18, 2025).



Housing Reconstruction Project (EHRP) [were] ensuring that all vulnerable residents in earthquake-affected areas get a roof over their heads.<sup>16</sup>

The World Bank-supported EHRP was the largest financial supporter of the NRA, which built over 700,000 earthquake-resilient houses. As the World Bank explained the situation in December 2021:

The EHRP provided full/partial housing grant support to build over 300,000 earthquake resilient houses through the development of technical guidelines and inspection systems, skills development for communities, and operationalization of accountability mechanisms. With this, the EHRP remained the largest financial support to the Government of Nepal's umbrella Housing Reconstruction Program, which built over 700,000 earthquake resilient houses.

In December 2021, the NRA will end its tenure following the International Conference on Nepal's Reconstruction (ICNR2021) on December 7-9, 2021.<sup>17</sup>

On December 23, 2021, the NRA ceased to exist, having handed over its remaining responsibilities and resources to other designated bodies of the Nepal government.<sup>18</sup>

In November 2020, the International Journal of Disaster Risk Reduction published a survey study of the speed and quality of recovery after Nepal's 2015 earthquake:

The [survey] results highlight that *the economy recovered in three years, that 90% of people were back in their homes after four years and that infrastructure and non-domestic constructions took five years to rebuild and repair* (emphasis added). Overall, respondents felt the quality of housing and earthquake safety were better. They also thought the public's awareness of earthquake risk had increased.<sup>19</sup>

<sup>16</sup> Sulochana Nepali, Nepal strives to leave no one behind in earthquake reconstruction, World Bank Blogs – End Poverty in South Asia, April 25, 2021, available at: <https://blogs.worldbank.org/endpovertyinsouthasia/nepal-strives-leave-no-one-behind-earthquake-reconstruction> (last visited March 18, 2025).

<sup>17</sup> Lessons in Earthquake Reconstruction: Five Proven Approaches from Nepal, The World Bank, Dec. 1, 2021, available at: <https://www.worldbank.org/en/news/feature/2021/12/01/lessons-in-earthquake-reconstruction-five-proven-approaches-from-nepal#:~:text=The%20World%20Bank's%20Earthquake%20Housing,million%20Multi%2Ddonor%20Trust%20Fund> (last visited March 18, 2025). See also, Resource Guide: Nepal's Journey from Post-Earthquake Reconstruction to Resilience, The World Bank, available at: <https://www.worldbank.org/en/country/nepal/brief/post-earthquake-reconstruction-in-nepal> (last visited March 18, 2025).

<sup>18</sup> NRA's term comes to an end, The Himalayan Times, Dec. 24, 2021, available at: <https://thehimalayantimes.com/nepal/nras-term-comes-to-an-end> (last visited March 18, 2025).

<sup>19</sup> Stephen Platt et al, Speed and quality of recovery after the Gorkha Earthquake 2015 Nepal, International Journal of Disaster Risk Reduction, Vol. 50, Nov. 2020, available at: <https://www.sciencedirect.com/science/article/pii/S2212420920303332#:~:text=The%20results%20highlight%20that%20the,years%20to%20rebuild%20and%20repair> (last visited March 18, 2025).

On April 24, 2020, the ADB published a video showcasing its reconstruction of 162 resilient schools in Nepal, benefiting over 60,000 students after the 2015 earthquake.<sup>20</sup> These schools provide safe learning spaces, disaster preparedness training, and improved facilities, creating a secure educational environment ready for future emergencies.<sup>21</sup>

On June 30, 2018, the British Red Cross (BRC) published a final evaluation report of the Nepal Earthquake Recovery Program. The report concluded, “Especially considering the contextual and operational challenges, the program appears to *have achieved significant progress towards helping targeted communities recover* (emphasis added).”<sup>22</sup>

## 2023/2024 Earthquake and Flooding Impacts and Recovery

### Housing and Shelter

According to the UN, the November 2023 earthquake in the western area of Jajarkot district in Karnali Province, impacted nine districts, including Jajarkot, Jumla, Rukum West, Rukum East, Dolpa, Kalikot, Dailekh, Surkhet, and Salyan.<sup>23</sup> It affected approximately 250,000 people, including approximately 80,000 children, and resulted in over 100 fatalities and over 300 injuries.<sup>24</sup> By November 7, 2023, over 10,000 people had been displaced, and satellite data estimated that 1.3 million people were exposed to the earthquake’s impact.<sup>25</sup>

Three months into the recovery in February 2024, UNICEF reported that around 200,000 people, including 68,000 children, have been living in temporary shelters and continue to rely on humanitarian aid for their basic needs as a direct result of the 2015 earthquake.<sup>26</sup> According to UNICEF, these shelters often lacked sufficient insulation and protection from the elements, leaving families exposed to severe winter conditions.<sup>27</sup> To address these needs, UNICEF and its

<sup>20</sup> Asian Development Bank, Building a Better Future – Five Years after the Nepal Earthquake, Video, 24 April 2020, available at: <https://www.adb.org/news/videos/building-better-future-five-years-after-nepal-earthquake> (last visited March 18, 2025).

<sup>21</sup> Asian Development Bank, Building a Better Future – Five Years after the Nepal Earthquake, Video, 24 April 2020, available at: <https://www.adb.org/news/videos/building-better-future-five-years-after-nepal-earthquake> (last visited March 18, 2025).

<sup>22</sup> International Recovery Platform, Final Evaluation: Nepal Earthquake Recovery Programme, Jun. 2018, available at: <https://recovery.preventionweb.net/publication/final-evaluation-nepal-earthquake-recovery-programme> (last visited March 18, 2025).

<sup>23</sup> Assessment Capacities Project, Nepal:Earthquake in Jajarkot District, Nov. 10, 2023, available at : <https://www.acaps.org/en/countries/archives/detail/nepal-earthquake-in-jajarkot-district> (last visited March 18, 2025).

<sup>24</sup> Assessment Capacities Project, Nepal:Earthquake in Jajarkot District, Nov. 10, 2023, available at : <https://www.acaps.org/en/countries/archives/detail/nepal-earthquake-in-jajarkot-district> (last visited March 18, 2025).

<sup>25</sup> Assessment Capacities Project, Nepal:Earthquake in Jajarkot District, Nov. 10, 2023, available at : <https://www.acaps.org/en/countries/archives/detail/nepal-earthquake-in-jajarkot-district> (last visited March 18, 2025).

<sup>26</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>27</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

partners distributed essential supplies, including tarpaulins, blankets, medical tents, and hygiene kits, to support affected families.<sup>28</sup> According to a Joint Recovery Action Plan (JRAP) Western Nepal Earthquake InfoSheet, “Communities are provided with access to shelter assistance packages and socio-technical support to households rebuilding their homes.”<sup>29</sup>

Flash floods in late September 2024 further impacted populations in Nepal. The heavy rains, which began on 27 September and lasted for more than 72 hours, resulted in some of the most intense rainfall in over half a century, causing widespread damage.<sup>30</sup> The floods severely impacted 44 out of Nepal’s 77 districts, leading to extensive damage to houses, schools, and hospitals, particularly in the southern parts of Kathmandu.<sup>31</sup> In addition, critical infrastructure, including bridges and roads, was severely disrupted, and telecommunications networks were affected.<sup>32</sup> The UN estimates that around 7,600 families have been severely affected, with many residing in informal settlements that were washed away.<sup>33</sup> Azmat Ullah, head of the International Federation of Red Cross and Red Crescent Societies (IFRC) Nepal office, stated that at the time of the floods, “there [were] still many villages which [were] isolated due to impassable roads and broken bridges.” He noted that the Nepal Red Cross and IFRC had been “coordinating with the local authorities to clean roads and access people in need,” emphasizing the logistical challenges of delivering aid.<sup>34</sup>

### Water and Sanitation

The November 2023 earthquake and the September 2024 flash floods damaged Nepal’s water supply infrastructure, especially in rural and mountainous regions.<sup>35</sup> These events led to disruptions in water systems, with many areas experiencing limited access to safe drinking water.<sup>36</sup> Reports indicate that widespread flooding and subsequent landslides impacted water supply infrastructure, leaving many without reliable access to clean water.<sup>37</sup> As of February 2024, prior

<sup>28</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>29</sup> ReliefWeb, JRAP InfoSheet – Joint Recovery Action Plan (JRAP) Western Nepal Earthquake, February 23, 2025, available at <https://reliefweb.int/report/nepal/jrap-infosheet-joint-recovery-action-plan-jrap-western-nepal-earthquake> (last visited March 18, 2025).

<sup>30</sup> UN News, Nepal: Hundreds killed as ‘unprecedented’ flash floods strike capital Kathmandu, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>31</sup> UN News, Nepal: Hundreds killed as ‘unprecedented’ flash floods strike capital Kathmandu, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>32</sup> UN News, Nepal: Hundreds killed as ‘unprecedented’ flash floods strike capital Kathmandu, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>33</sup> UN News, Nepal: Hundreds killed as ‘unprecedented’ flash floods strike capital Kathmandu, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>34</sup> UN News, Nepal: Hundreds killed as ‘unprecedented’ flash floods strike capital Kathmandu, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>35</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>36</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>37</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

to the flash floods, concerns over health risks had already been raised due to inadequate sanitation, with increased cases of waterborne diseases such as cholera and diarrhea in affected regions.<sup>38</sup> Efforts to restore these essential services were challenged at the time by logistical obstacles, including difficult terrain, harsh weather, ongoing aftershocks, and recurring natural hazards.<sup>39</sup> The Joint Recovery Action Plan (Feb. 2024) highlighted the urgent need for water, sanitation, and hygiene (WASH) interventions, emphasizing the necessity of ‘critical WASH supplies’.<sup>40</sup> These efforts include distributing life-saving supplies such as tarpaulins, blankets, medical tents, recreational and educational kits, and hygiene materials to communities in temporary shelters, especially in the most impacted regions.<sup>41</sup> However, limited access to clean water remained a persistent issue for families residing in temporary shelters as a result of the flooding, as they continue to face health risks associated with waterborne diseases.<sup>42</sup>

### **Food Security**

The November 2023 Jajarkot earthquake impacted Nepal’s food security. According to the Joint Recovery Action Plan related to the Jajarkot earthquake, over 62,011 households were affected by the disasters, which led to disruptions in agricultural production and subsistence farming in remote and vulnerable regions.<sup>43</sup> The Joint Recovery Action plan in February 2024 reported that affected families in these areas, already struggling with food scarcity and poverty, faced additional challenges due to widespread damage to infrastructure and the displacement of many households.<sup>44</sup>

### **Medical Care**

According to the World Health Organization, Surkhet Province Hospital received over 40 patients for treatment following the November 2023 Jajarkot earthquake. Due to early preparedness efforts, the hospital had stockpiled essential medicines, designated treatment areas, and allocated human

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<sup>38</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>39</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>40</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>41</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>42</sup> UN News, Flash Floods in Kathmandu: Humanitarian Response and Damage Assessment, United Nations, 1 Oct. 2024, available at: <https://news.un.org/en/story/2024/10/1155246> (last visited March 18, 2025).

<sup>43</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

<sup>44</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).



resources, allowing for swift triage and patient management.<sup>45</sup> The Emergency Medical Team, deployed to district hospitals, facilitated onsite triage and prioritized patient transfers. Patients requiring immediate treatment were referred to hospitals, while those with minor injuries were managed locally, resulting in reduced caseloads and optimized quality care.<sup>46</sup> Under the Recovery Strategy and Priorities of the Joint Recovery Action Plan, efforts were directed towards equipping hospitals with mobile medical units and distributing essential medical supplies.<sup>47</sup>

### Education

According to UNICEF, the November 2023 Jajarkot earthquake damaged nearly 898 school buildings, with 294 fully destroyed and 604 partially impacted, disrupting the education of approximately 134,000 school-aged children.<sup>48</sup> By February 2024, over 17,000 children had resumed schooling through temporary learning centers established with UNICEF's support, providing a safe learning environment until permanent repairs could be completed.<sup>49</sup> Additionally, UNICEF facilitated emergency vaccination campaigns to mitigate the risk of post-disaster disease outbreaks.<sup>50</sup> Plans were also underway to reconstruct fully damaged schools and repair classrooms, with emphasis on ensuring access to essential facilities such as WASH (water, sanitation, and hygiene) services to safeguard student well-being.<sup>51</sup>

### Return to Nepal

Nepal has undergone recovery and reconstruction efforts since the 2015 earthquake, which displaced many citizens and prompted emigration out of Nepal due to safety and economic concerns. By March 2023, the country has made progress in rebuilding disaster-resilient housing,

<sup>45</sup> World Health Organization, Recent Jajarkot Earthquake Highlights the Importance of Equipping Hospitals with Hospital Disaster Preparedness and Response Plan, December 26, 2023, available at: <https://www.who.int/nepal/news/detail/26-12-2023-recent-jajarkot-earthquake-highlights-the-importance-of-equipping-hospitals-with-hospital-disaster-preparedness-and-response-plan> (last visit March 18, 2025).

<sup>46</sup> World Health Organization, Recent Jajarkot Earthquake Highlights the Importance of Equipping Hospitals with Hospital Disaster Preparedness and Response Plan, December 26, 2023, available at: <https://www.who.int/nepal/news/detail/26-12-2023-recent-jajarkot-earthquake-highlights-the-importance-of-equipping-hospitals-with-hospital-disaster-preparedness-and-response-plan> (last visit March 18, 2025).

<sup>48</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>48</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>49</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025); see also UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025) (on restoring access to education).

<sup>50</sup> UNICEF, 68,000 children affected by Nepal earthquake still need urgent assistance, UNICEF, Feb. 11, 2024, available at: <https://www.unicef.org/press-releases/68000-children-affected-nepal-earthquake-still-need-urgent-assistance-unicef> (last visited March 18, 2025).

<sup>51</sup> UN Joint Recovery Action Plan, Joint Recovery Action Plan – Western Nepal Earthquake, United Nations, Feb. 19, 2024, available at: <https://nepal.un.org/en/270265-joint-recovery-action-plan-western-nepal-earthquake> (last visited March 18, 2025).

infrastructure, and community systems, creating a safer and more stable environment for returnees.<sup>52</sup> The Nepal Earthquake Housing Reconstruction Project, supported by the World Bank, has facilitated the construction of over 300,000 earthquake-resilient homes, ensuring safer living conditions.<sup>53</sup>

Under International Organization for Migration (IOM) Nepal's Assisted Voluntary Return And Reintegration program:

IOM Nepal provides comprehensive support to migrants, including those returning voluntarily, victims of trafficking (VoTs), and other vulnerable groups. Through the Assisted Voluntary Return and Reintegration (AVRR) initiative, IOM ensures safe and dignified returns while offering tailored reintegration assistance, such as livelihood training, enterprise creation, and psychosocial support. For VoTs, specialized care is provided, including rescue, rehabilitation, and legal aid. Additionally, IOM supports returnees with health care services and educational continuity for children, promoting sustainable reintegration and reducing the risk of force[d] re-migration.<sup>54</sup>

Helvetas Swiss Intercooperation (HELVETAS) in Nepal also provides assistance to returnees. It "... supports employment service centers which are located in each municipality across Nepal to collaborate with various institutions, such as banks, other NGOs, and companies to offer the returnees help in finding jobs, starting small businesses, further training, financial literacy and the opportunity to certify skills acquired abroad."<sup>55</sup>

### Freedom of Movement

The Constitution of Nepal (2019) Article 11(2)(d) provides citizens with "freedom to move to or reside in any part of Nepal."<sup>56</sup> In addition, the National Policy on Disaster Risk Reduction (2018) emphasizes the need for relocation and rehabilitation of disaster-affected communities.<sup>57</sup> The

<sup>52</sup> World Bank, Nepal – Earthquake Housing Reconstruction Project: Final Implementation Review and Support, March 2023, available at: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099050823052022936/p1559690634ae900f08b5d062bf08a958f6> (last visited March 18, 2025).

<sup>53</sup> World Bank, Nepal – Earthquake Housing Reconstruction Project: Final Implementation Review and Support, March 2023, available at: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099050823052022936/p1559690634ae900f08b5d062bf08a958f6> (last visited March 18, 2025).

<sup>54</sup> International Organization for Migration (IOM) Nepal, available at: <https://nepal.iom.int/assisted-voluntary-return-and-reintegration-avrr#:~:text=Under%20its%20Migrant%20Protection%20and,risk%20of%20force%20re%2Dmigration> (last visited March 18, 2025).

<sup>55</sup> Helvetas Swiss Intercooperation (HELVETAS), available at : <https://www.helvetas.org/en/switzerland/what-we-do/how-we-work/our-projects/asia/nepal/nepal-remigration#:~:text=Strengthen%20offers%20for%20returnees,to%20make%20them%20better%20known> (last visited March 18, 2025).

<sup>56</sup> Constitution of Nepal (2019), available at: [https://himalaya.socanth.cam.ac.uk/collections/rarebooks/downloads/Nepal\\_1962\\_Constitution\\_English.pdf](https://himalaya.socanth.cam.ac.uk/collections/rarebooks/downloads/Nepal_1962_Constitution_English.pdf) (last visited March 18, 2025).

<sup>57</sup> Reliefweb, National Policy for Disaster Risk Reduction 2018, May 9, 2021, available at: <https://reliefweb.int/report/nepal/national-policy-disaster-risk-reduction-2018-enne> (last visited March 18, 2025).

Disaster Risk Reduction and Management Act of 2017 provides a framework for managing disaster-induced displacement, including temporary relocation and rehabilitation.<sup>58</sup>

### Economy

Nepal's Gross Domestic Product is projected to grow by 4.9% in 2025, up from 3.9% in 2024. This growth is attributed to several factors, including robust agricultural outputs, a surge in tourist arrivals, increased electricity production, and a more accommodative monetary policy.<sup>59</sup> In its press release of January 21, 2025, the International Monetary Fund (IMF) reported that the Nepali authorities and the IMF team reached staff-level agreement, subject to approval by the IMF Executive Board, to grant Nepal access to about \$40.6 million in financing.<sup>60</sup> In addition, the IMF noted that “[f]ollowing disruptions from recent floods, the recovery is expected to strengthen in the second half of FY2024/25, supported by stronger public capital expenditure, including on post-flood recovery and reconstruction efforts.”<sup>61</sup> The IMF further noted: “The authorities are making progress on key structural reforms to improve the anti-money laundering framework, reduce fiscal risks, and strengthen the financial sector.”<sup>62</sup>

During a December 2024 interview, Nepal's Finance Minister Bishnu Prasad Paudel highlighted the country's economic recovery, citing the implementation of over 90% of the government's 100-day action plan.<sup>63</sup> He noted improvements in remittances, bank liquidity, and foreign reserves while addressing past challenges like high capital expenditure arrears and declining industrial production. The government is focused on restoring investor confidence, supporting entrepreneurship, and reviving closed industries. Paudel emphasized Nepal's commitment to economic stability and growth, positioning the country as a favorable investment destination with long-term financial reforms and private sector cooperation.<sup>64</sup>

<sup>58</sup> Government of Nepal Ministry of Home Affairs, Disaster Risk Reduction and Management Act 2019, available at: [https://bipad.gov.np/uploads/publication\\_pdf/DRRM\\_Act\\_and\\_Regulation\\_english.pdf](https://bipad.gov.np/uploads/publication_pdf/DRRM_Act_and_Regulation_english.pdf) (last visited March 18, 2025).

<sup>59</sup> The Rising Nepal, January 9, 2025, available at: <https://risingnepaldaily.com/news/55110> (last visited March 18, 2025).

<sup>60</sup> International Monetary Fund Press Release No. 25/009, Nepal: IMF Reaches Staff-level Agreement on 5<sup>th</sup> Review Under the Extended Credit Facility, January 21, 2025, available at: <https://www.imf.org/en/News/Articles/2025/01/21/pr-25009-nepal-imf-reaches-agreement-on-5th-review-under-the-ecf> (last visited March 18, 2025).

<sup>61</sup> International Monetary Fund Press Release No. 25/009, Nepal: IMF Reaches Staff-level Agreement on 5<sup>th</sup> Review Under the Extended Credit Facility, January 21, 2025, available at: <https://www.imf.org/en/News/Articles/2025/01/21/pr-25009-nepal-imf-reaches-agreement-on-5th-review-under-the-ecf> (last visited March 18, 2025).

<sup>62</sup> International Monetary Fund Press Release No. 25/009, Nepal: IMF Reaches Staff-level Agreement on 5<sup>th</sup> Review Under the Extended Credit Facility, January 21, 2025, available at: <https://www.imf.org/en/News/Articles/2025/01/21/pr-25009-nepal-imf-reaches-agreement-on-5th-review-under-the-ecf> (last visited March 18, 2025).

<sup>63</sup> Nepal News, December 12, 2024, available at: <https://nepalnews.com/s/politics/interview-economy-on-recovery-path-country-will-make-a-leap-towards-prosperity-in-this-term-itself-says-dpm-and-finance-minister-paudel/> (last visited March 18, 2025).

<sup>64</sup> Nepal News, December 12, 2024, available at: <https://nepalnews.com/s/politics/interview-economy-on-recovery-path-country-will-make-a-leap-towards-prosperity-in-this-term-itself-says-dpm-and-finance-minister-paudel/> (last visited March 18, 2025).

## Infrastructure

In September 2024, the Government of Nepal Ministry of Home Affairs published a Nepal Disaster Report that focus on reconstruction and resilience in which it stated that “Nepal’s reconstruction and recovery efforts have rapidly evolved over the past six years, marked by significant achievements in rebuilding and restoring infrastructure...”<sup>65</sup>

## Tourism

The Government of Nepal’s Ministry of Culture, Tourism, and Civil Aviation provide insights into the country’s tourism industry for 2024. According to the Ministry, Nepal welcomed a total of 1,014,871 tourists in 2024, with 914,270 arriving by air and 100,612 by land. Regarding the purpose of visit, 634,301 tourists visited for holiday/pleasure, 132,949 for pilgrimage, 154,262 for trekking, and 93,370 for other reasons.<sup>66</sup>

By April 2021, six years after the 2015 earthquake, a reconstruction progress report indicated that about 67% of private homes, 74% of educational institutions, and 58% of health facilities had been reconstructed.<sup>67</sup>

In August 2024, the Asian Development Bank (ADB) published a report emphasizing the need for continued infrastructure investment in Nepal, especially in critical areas like healthcare, education, and transportation networks (particularly improved roads).<sup>68</sup> The ADB report detailed \$5.9 billion in support since the earthquake, underscoring the importance of resilient infrastructure in fostering economic stability and community wellbeing.<sup>69</sup>

Most recently, in September 2024, the Government of Nepal Ministry of Home Affairs published a Nepal Disaster Report that focus on reconstruction and resilience in which it reported that “Nepal’s reconstruction and recovery efforts have rapidly evolved over the past six years, marked by significant achievement in rebuilding and restoring infrastructure...”<sup>70</sup>

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<sup>65</sup> Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited March 9, 2025).

<sup>66</sup> Government of Nepal, Ministry of Culture, Tourism and Civil Aviation, Facts 2024, available at: <https://www.tourism.gov.np> (last visited March 18, 2025)

<sup>67</sup> Prabin Acharya et al, Reviewing the progress of reconstruction five years after the 2015 Gorkha earthquake, Nepal, Building Research & Information, Vol. 50, Issue 6, 2022, available at: <https://www.tandfonline.com/doi/abs/10.1080/09613218.2022.2043139> (last visited March 18, 2025.)

<sup>68</sup> Asian Development Bank, Asian Development Bank and Nepal: Fact Sheet, August 2024, available at: <https://www.adb.org/publications/nepal-fact-sheet> (last visited March 18, 2025).

<sup>69</sup> Asian Development Bank, Asian Development Bank and Nepal: Fact Sheet, August 2024, available at: <https://www.adb.org/publications/nepal-fact-sheet> (last visited March 18, 2025).

<sup>70</sup> Government of Nepal Ministry of Home Affairs, Nepal Disaster Report, September 2024, available at: [https://bipad.gov.np/uploads/publication\\_pdf/Nepal\\_Disaster\\_Report\\_Final\\_2024.pdf](https://bipad.gov.np/uploads/publication_pdf/Nepal_Disaster_Report_Final_2024.pdf) (last visited March 18, 2025).



## PRE-DECISIONAL/DELIBERATIVE

**Attachment A - Temporary Protected Status (TPS) Legal Authority**

Pursuant to section 244(b)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1254a(b)(1), the Secretary of Homeland Security, after consultation with appropriate agencies of the Government, may designate a foreign state (or part thereof) for TPS. The Secretary may then grant TPS to eligible nationals of that foreign state (or in the case of an alien having no nationality who last habitually resided in that state). INA § 244(b)(1) sets forth three possible bases on which the Secretary may designate a foreign state for TPS:

- Ongoing armed conflict in the foreign state and, due to such conflict, requiring the return of aliens who are nationals of that state would pose a serious threat to their personal safety;
- An earthquake, flood, drought, epidemic, or other environmental disaster in a foreign state has resulted in a substantial, but temporary, disruption of living conditions in the area affected, the foreign state is unable to handle adequately the return of aliens who are nationals of the state, *and* the foreign state has officially requested TPS designation; or
- Extraordinary and temporary conditions exist in the foreign state that prevent nationals of the state from returning in safety, unless the Secretary finds that permitting the aliens to remain temporarily in the United States is contrary to the national interest of the United States.

An initial TPS designation is at the discretion of the Secretary but may not be less than 6 months or exceed 18 months. INA § 244(b)(2).

At least 60 days before the expiration of a TPS designation, the Secretary, after consultation with appropriate agencies of the Government, shall review the conditions in a foreign state designated for TPS to determine whether the conditions for the TPS designation continue to be met and, if so, the length of an extension of the TPS designation (6-, 12-, or 18- months). *See* INA § 244(b)(3)(A). If the Secretary determines that the foreign state no longer meets the conditions for the TPS designation, she or he must terminate the designation. *See* INA § 244(b)(3)(B). Although the Secretary must make her or his determination on extension or termination at least 60 days before the expiration of the TPS designation, publication of the required *Federal Register* notice announcing the decision must be “on a timely basis.” INA § 244(b)(3)(A). If the Secretary does not make a decision under INA § 244(b)(3)(A) that the foreign state no longer meets the conditions for designation, there is an automatic, minimum six-month extension of a country’s TPS designation. *See* INA § 244(b)(3)(C).

After the Secretary designates a country for TPS, nationals of the country (and persons without nationality who last habitually resided in the country) may apply for TPS, but they must individually demonstrate their eligibility pursuant to the criteria established in INA § 244(c) and the TPS regulations at 8 CFR § 244.1 *et seq.* These criteria include, but are not limited to, requirements that the applicant show continuous physical presence in the United States since the effective date of the country designation and continuous residence since such date as the Secretary determines; admissibility as an immigrant (with limited exceptions); that the applicant

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Attachment A: TPS Legal Authority  
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is not ineligible under certain mandatory criminal history, terrorism, and national security bars as specified in INA § 244(c)(2)(A)-(B); and that the applicant is registering for TPS in accordance with regulatory procedures in 8 CFR §§ 244.2–244.9.

If granted TPS, the alien receives employment authorization and an Employment Authorization Document, if requested, that is valid for the duration of the TPS designation. TPS is a temporary benefit that does not, by itself, provide aliens with a basis for seeking lawful permanent resident (LPR) status or any other immigration status. However, receipt of TPS benefits will not bar an otherwise eligible alien from adjusting to LPR status or acquiring another lawful immigration status. When a TPS country's designation ends, TPS beneficiaries return to the same immigration status, if any, that they held prior to TPS (unless that status has expired or been terminated) or any other status they may have acquired while registered for TPS.

PRE-DECISIONAL/DELIBERATIVE

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT



## Immigration and Customs Enforcement's Response to USCIS' Request for Individuals Returned to a Number of Countries

March 3, 2025

### **Request:**

USCIS Office of Policy and Strategy requests that ICE provide the number of individuals returned to each of the following countries during the time periods listed:

- South Sudan: Sept. 6, 2023 - present
- Afghanistan: Sept. 25, 2023 - present
- Cameroon: Oct. 10, 2023 - present
- Nepal: June 21, 2023 - present
- Honduras: June 21, 2023 - present
- Nicaragua: June 21, 2023 - present
- Haiti: July 1, 2024 - present
- Venezuela: Oct. 3, 2023 - present

### **Response:**

Total number of Individuals returned to each country regardless of the Country of Citizenship as of March 2, 2025.

**South Sudan, Sept. 6, 2023 – present: 1**  
**Afghanistan, Sept. 25, 2023 – present: 30**  
**Cameroon, Oct. 10, 2023 – present: 26**  
**Nepal, June 21, 2023 – present: 126**  
**Honduras, June 21, 2023 – present: 71,448**  
**Nicaragua, June 21, 2023 – present: 5,271**  
**Haiti, July 1, 2024 – present: 370**  
**Venezuela, Oct. 3, 2023 – present: 2,624**

Form I-821, Application for Temporary Protected Status Current Beneficiaries by Country of Designation As of March 11, 2025			
U.S. Citizenship and Immigration Services			
Country of Designation	Current TPS Beneficiaries		Total Approved Individuals
	Approved Individuals that are not LPRs	Approved Individuals that are also LPRs	
<b>TOTAL</b>	<b>1,299,814</b>	<b>129,090</b>	<b>1,428,904</b>
Alghanistan	8,361	3,349	11,710
Burma	2,972	212	3,184
Cameroon	2,997	212	3,209
El Salvador	170,608	60,699	231,307
Ethiopia	4,422	172	4,594
Haiti	330,997	15,384	346,381
Honduras	51,405	21,013	72,418
Lebanon	111	-	111
Nepal	7,202	5,453	12,655
Nicaragua	2,912	1,108	4,020
Somalia	686	74	760
South Sudan	211	15	226
Sudan	1,779	241	2,020
Syria	3,807	2,186	5,993
Ukraine	101,190	2,612	103,802
Venezuela	605,476	15,878	621,354
Yemen	2,249	544	2,793

Table Key:

- Represents zero or rounds to 0.0.

**Notes:**

- 1) The report reflects the most up-to-date estimate available at the time the database is queried.
- 2) Counts may differ from those reported in previous periods due to system updates and post-adjudicative outcomes.
- 3) Counts may differ from other reports due to updated logic that utilizes more accurate SSN information.
- 4) Duplicates were removed based on receipt number, A Number, SSN, and Name-DOB combination.
- 5) Country of Designation is based on Country of Citizenship or Country of Birth as of application.
- 6) Counts may include individuals that may have also been approved for lawful permanent resident (LPR) status.
- 7) Current holders reflect beneficiaries approved without a subsequent denial or TPS withdrawal. USC are not included.
- 8) An "Unknown" "Country of Designation" indicates current TPS holders where their Country of Citizenship and Country of Birth is not one of the current TPS countries and not a former TPS designated country. These counts may include "stateless" individuals.

**Sources:**

Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Performance and Quality  
CLAIM3, ELIS, CIS2, NPD, queried 3/2025, PAER0017253.

Form I-821, Application for Temporary Protected Status Current Pending by Country of Designation As of March 11, 2025					
U.S. Citizenship and Immigration Services					
Country of Designation	Current Pending TPS Applications			Total Pending Applications	
	I-821 Initial Pending Applications from Current Beneficiaries	I-821 Re-registration Pending Applications from Current Beneficiaries	I-821 Initial Pending Applications from non-current Beneficiaries	I-821 Re-registration Pending Applications from non-current Beneficiaries	
<b>TOTAL</b>	<b>2,649</b>	<b>375,816</b>	<b>310,484</b>	<b>58,272</b>	<b>747,221</b>
Alghanistan	46	213	8,955	14	9,238
Burma	1	16	1,599	2	1,618
Cameroon	6	116	1,235	11	1,364
El Salvador	501	82,529	654	2,620	86,604
Ethiopia	6	40	433	-	479
Haiti	919	139,703	200,294	3,899	344,815
Honduras	141	2,028	1,190	205	3,564
Lebanon	8	-	990	-	998
Nepal	1	168	66	10	245
Nicaragua	13	48	295	17	373
Somalia	7	231	1,472	10	1,720
South Sudan	1	8	31	6	46
Sudan	5	543	163	83	794
Syria	59	351	873	32	1,315
Ukraine	147	43,173	34,551	33,790	111,661
Venezuela	772	106,322	58,345	17,544	182,983
Yemen	16	271	318	29	634



(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

### Information Collection Requirement

*Title:* TSA infoBoards.

*Type of Request:* Revision of a collection.

*OMB Control Number:* 1652-0065.

*Form(s):* TSA Forms 1427 and 1430.

*Affected Public:* Individuals with transportation security responsibilities, such as aircraft operators, airport security coordinators, and international transportation security coordinators.

*Abstract:* TSA infoBoards was developed by TSA as part of its broad responsibilities and authorities under the Aviation and Transportation Security Act (ATSA), and delegated authority from the Secretary of Homeland Security, for “security in all modes of transportation . . . including security responsibilities . . . over modes of transportation that are exercised by the Department of Transportation.”<sup>1</sup> TSA infoBoards is an information-sharing environment designed to serve stakeholders in the transportation security community and is used to disseminate mission-critical information. It is located in a secure online environment and is accessible from the Homeland Security Information Network (HSIN) and TSA (for TSA staff only). Accessing and using TSA infoBoards is completely

voluntary; TSA does not require participation.

TSA collects two types of information through TSA infoBoards: (1) User registration information and (2) user’s choice of “communities.” TSA is revising the collection instrument, TSA Form 1427, TSA infoBoards User Account Request/Renewal, to include an additional instrument, TSA Form 1430, Computer Access Agreement (CAA) External Personnel Only, to correct typographical errors and to update the list of TSA infoBoards names.

*Number of Respondents:* 5,000 users.

*Estimated Annual Burden Hours:* An estimated 10,000 hours annually.

Dated: October 29, 2019.

**Christina A. Walsh,**

*TSA Paperwork Reduction Act Officer,  
Information Technology.*

[FR Doc. 2019-23969 Filed 11-1-19; 8:45 am]

**BILLING CODE 9110-05-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2654-19; DHS Docket No. USCIS-2019-0020]

**RIN 1615-ZB83**

### Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan

**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** Through this notice, the Department of Homeland Security (DHS) announces actions to ensure its continued compliance with the preliminary injunction orders of the U.S. District Court for the Northern District of California in *Ramos, et al. v. Nielsen, et al.*, No. 18-cv-01554 (N.D. Cal. Oct. 3, 2018) (“*Ramos*”) and the U.S. District Court for the Eastern District of New York in *Saget, et al. v. Trump, et al.*, No. 18-cv-1599 (E.D.N.Y. Apr. 11, 2019) (“*Saget*”), and with the order of the U.S. District Court for the Northern District of California to stay proceedings in *Bhattarai v. Nielsen*, No. 19-cv-00731 (N.D. Cal. Mar. 12, 2019) (“*Bhattarai*”). Beneficiaries under the Temporary Protected Status (TPS) designations for El Salvador, Honduras, Nepal, Nicaragua, and Sudan will retain their TPS while the preliminary

injunction in *Ramos* remains in effect, provided that an alien’s TPS is not withdrawn because of individual ineligibility. Beneficiaries under the TPS designation for Haiti will retain their TPS while either of the preliminary injunctions in *Ramos* or *Saget* remain in effect, provided that an alien’s TPS is not withdrawn because of individual ineligibility. This notice further provides information on the automatic extension of the validity of TPS-related Employment Authorization Documents (EADs); Notices of Action (Forms I-797); and Arrival/Departure Records (Forms I-94), (collectively “TPS-related documentation”); for those beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan.

**DATES:** DHS is automatically extending the validity of TPS-related documentation for beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan, as specified in this notice. Such TPS-related documentation will remain in effect through January 4, 2021, from the current expiration dates of: January 2, 2020 (for beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, and Sudan); January 5, 2020 (for beneficiaries under the TPS designation for Honduras); and March 24, 2020 (for beneficiaries under the TPS designation for Nepal).

#### FOR FURTHER INFORMATION CONTACT:

- You may contact Maureen Dunn, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, by mail at 20 Massachusetts Avenue NW, Washington, DC 20529-2060; or by phone at 800-375-5283.

- For further information on TPS, please visit the USCIS TPS web page at [www.uscis.gov/tps](http://www.uscis.gov/tps).

- If you have additional questions about (TPS), please visit [uscis.gov/tools](http://uscis.gov/tools). Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our U.S. Citizenship and Immigration Services (USCIS) Contact Center at 800-375-5283 (TTY 800-767-1833).

- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at [www.uscis.gov](http://www.uscis.gov), or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

- Further information will also be available at local USCIS offices upon publication of this notice.

<sup>1</sup> See Public Law 107-71 (115 Stat. 597, Nov. 19, 2001), codified at 49 U.S.C. 114 (d). The TSA Assistant Secretary’s current authorities under ATSA have been delegated to him by the Secretary of Homeland Security. Section 403(2) of the Homeland Security Act (HSA) of 2002, Public Law 107-296 (116 Stat. 2315, Nov. 25, 2002), transferred all functions of TSA, including those of the Secretary of Transportation and the Under Secretary of Transportation of Security related to TSA, to the Secretary of Homeland Security. Pursuant to DHS Delegation Number 7060.2, the Secretary delegated to the Assistant Secretary (then referred to as the Administrator of TSA), subject to the Secretary’s guidance and control, the authority vested in the Secretary with respect to TSA, including that in section 403(2) of the HSA.

**SUPPLEMENTARY INFORMATION:****Table of Abbreviations**

CFR—Code of Federal Regulations  
 DHS—U.S. Department of Homeland Security  
 EAD—Employment Authorization Document  
 FNC—Final Nonconfirmation  
 Form I-765—Application for Employment Authorization  
 Form I-797—Notice of Action  
 Form I-821—Application for Temporary Protected Status  
 Form I-9—Employment Eligibility Verification  
 Form I-912—Request for Fee Waiver  
 Form I-94—Arrival/Departure Record  
 Government—U.S. Government  
 INA—Immigration and Nationality Act  
 IER—U.S. Department of Justice Civil Rights Division, Immigrant and Employee Rights Section  
 SAVE—USCIS Systematic Alien Verification for Entitlements Program  
 Secretary—Secretary of Homeland Security  
 TNC—Tentative Nonconfirmation  
 TPS—Temporary Protected Status  
 TTY—Text Telephone  
 USCIS—U.S. Citizenship and Immigration Services

**Background on Temporary Protected Status (TPS)**

- TPS is a temporary immigration status granted to eligible nationals of a country designated for TPS under the Immigration and Nationality Act (INA) or to eligible persons without nationality who last habitually resided in the designated country.
- During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to obtain EADs so long as they continue to meet the requirements of TPS.
- TPS beneficiaries may also apply for travel authorization as a matter of discretion.
- The granting of TPS does not result in or lead to lawful permanent resident status.
- To qualify for TPS, beneficiaries must meet the eligibility standards at INA section 244(c)(1)–(2), 8 U.S.C. 1254a(c)(1)–(2).
- When the Secretary of Homeland Security (the Secretary) terminates a country's TPS designation, beneficiaries return to one of the following:
  - The same immigration status or category that they maintained before TPS, if any (unless that status or category has since expired or been terminated); or
  - Any other lawfully obtained immigration status or category they received while registered for TPS, as long as it is still valid on the date TPS terminates.

**Purpose of This Action**

DHS last published notices to ensure its compliance with the *Ramos* preliminary injunction on March 1, 2019, and the *Bhattarai* order to stay proceedings on May 10, 2019. 84 FR 7103; 84 FR 20647. Through this **Federal Register** notice, DHS announces actions to ensure its continued compliance with the *Ramos* and *Saget* preliminary injunction orders and with the order to stay proceedings in *Bhattarai*.

The TPS designations for El Salvador, Nicaragua, and Sudan will remain in effect, as required by the *Ramos* order, so long as the preliminary injunction remains in effect. The TPS designation for Haiti will remain in effect, as required by the preliminary injunction orders in both *Ramos* and *Saget*, so long as either of those preliminary injunctions remain in effect. The TPS designations for Honduras and Nepal will remain in effect, as required by the *Bhattarai* order to stay proceedings, pending final disposition of the Government's appeal of the preliminary injunction order in *Ramos*. Beneficiaries under the TPS designations for El Salvador, Honduras, Nepal, Nicaragua, and Sudan will retain their TPS while the preliminary injunction in *Ramos* remains in effect, and beneficiaries under the TPS designation for Haiti will retain their TPS while the preliminary injunctions in either *Ramos* or *Saget* remain in effect, provided that an alien's TPS status is not withdrawn under INA section 244(c)(3) because of individual ineligibility. *See also* 8 CFR 244.14. DHS will not terminate TPS for any of the affected countries pending final disposition of the *Ramos* appeal, or for Haiti pending both *Ramos* and *Saget* appeals, including through any additional appellate channels in which relief may be sought, or by other orders of the court.

DHS is further announcing it is automatically extending, through January 4, 2021, the validity of certain TPS-related documentation, as specified in this notice, for beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan, provided that the affected beneficiaries remain individually eligible for TPS. This notice also provides information explaining DHS's plans to issue subsequent notices that will describe the steps DHS will take to address the status of beneficiaries under the TPS designations for all the affected countries, if continued compliance with the *Ramos* or *Saget* preliminary injunctions or the *Bhattarai* order to stay proceedings becomes necessary.

**Automatic Extension of EADs Issued Under the TPS Designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan**

Through this **Federal Register** notice, DHS automatically extends the validity of EADs listed in Table 1 below issued to beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. Such individuals may show their automatically-extended EAD to employers to demonstrate they have employment authorization, and may wish also to show employers this **Federal Register** Notice to explain that their TPS-Related Documentation has been extended through January 4, 2021. This Notice explains how TPS beneficiaries, their employers, and benefit-granting agencies may determine which EADs are automatically extended and how this affects the Form I-9, Employment Eligibility Verification, E-Verify, and USCIS Systematic Alien Verification for Entitlements (SAVE) processes. Additionally, a beneficiary under the TPS designation for any of these countries who has applied for a new EAD but who has not yet received his or her new EAD is covered by this automatic extension, provided that the EAD he or she possesses contains one of the expiration dates listed in Table 1 below.

**TABLE 1—AFFECTED EADS**

If an EAD has a category code of A-12 or C-19 and an expiration date of:	Then the validity of the EAD is extended through:
07/22/2017 .....	01/04/2021
11/02/2017 .....	01/04/2021
01/05/2018 .....	01/04/2021
01/22/2018 .....	01/04/2021
03/09/2018 .....	01/04/2021
06/24/2018 .....	01/04/2021
07/05/2018 .....	01/04/2021
11/02/2018 .....	01/04/2021
01/05/2019 .....	01/04/2021
04/02/2019 .....	01/04/2021
06/24/2019 .....	01/04/2021
07/22/2019 .....	01/04/2021
09/09/2019 .....	01/04/2021
01/02/2020 .....	01/04/2021
01/05/2020 .....	01/04/2021
03/24/2020 .....	01/04/2021

**Automatic Extension of Forms I-94 and Forms I-797**

Also through this **Federal Register** notice, DHS automatically extends the validity periods of the Forms I-94 and Forms I-797 listed in Table 2 below previously issued to beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. These extensions apply only if



the TPS beneficiary properly filed for re-registration during either the most recent DHS-announced registration period for their country, or any applicable previous DHS-announced re-registration periods for his or her

country,<sup>1</sup> or has a re-registration application that remains pending. This notice does not extend the validity periods of Forms I–94 or Forms I–797 for any TPS beneficiary who failed to file for TPS re-registration during one of

the applicable previous DHS-announced re-registration periods, or for whom a re-registration request has been finally denied. In addition, the extensions do not apply for any beneficiary from whom TPS has been finally withdrawn.

TABLE 2—AFFECTED FORMS I–94 AND I–797

Country	Beginning date of validity:	End date of validity:	Validity of Forms I–94 and I–797 extended through:
El Salvador .....	Sept. 10, 2016 .....	Mar. 9, 2018 .....	01/04/2021
Haiti .....	Mar. 10, 2018 .....	Sept. 9, 2019 .....	01/04/2021
	Jan. 23, 2016 .....	Jul. 22, 2017 .....	01/04/2021
	Jul. 23, 2017 .....	Jan. 22, 2018 .....	01/04/2021
	Jan. 23, 2018 .....	July 22, 2019 .....	01/04/2021
Honduras .....	July 6, 2016 .....	Jan. 5, 2018 .....	01/04/2021
	Jan. 6, 2018 .....	July 5, 2018 .....	01/04/2021
	July 6, 2018 .....	Jan. 5, 2020 .....	01/04/2021
Nepal .....	Dec. 25, 2016 .....	June 24, 2018 .....	01/04/2021
	June 25, 2018 .....	June 24, 2019 .....	01/04/2021
Nicaragua .....	July 6, 2016 .....	Jan. 5, 2018 .....	01/04/2021
	Jan. 6, 2018 .....	Jan. 5, 2019 .....	01/04/2021
Sudan .....	May 3, 2016 .....	Nov. 2, 2017 .....	01/04/2021
	Nov. 3, 2017 .....	Nov. 2, 2018 .....	01/04/2021

### Application Procedures

Current beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan do not need to pay a fee or file any application, including Application for Employment Authorization (Form I–765), to maintain their TPS benefits through January 4, 2021, provided that they have properly re-registered for TPS during either the most recent DHS-announced registration period for their country, or any applicable previous re-registration period described in Footnote 1, above.

TPS beneficiaries who have failed to re-register properly for TPS during any of these re-registration periods may still file an Application for Temporary Protected Status (Form I–821), but must demonstrate “good cause” for failing to re-register on time, as required by law. See INA section 244(c)(3)(C) (TPS beneficiary’s failure to register without good cause in form and manner specified by DHS is ground for TPS withdrawal); 8 CFR 244.17(b) and Form I–821 instructions.

Any currently eligible beneficiary who does not presently have a pending EAD application under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, or Sudan may file Form I–765 with appropriate fee.

### Possible Future Action

In order to comply with statutory requirements for TPS while the district courts’ orders or any superseding court order concerning the beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan are pending, DHS may require these beneficiaries to re-register and announce the re-registration procedures in a future **Federal Register** notice. See section 244(c)(3)(C) of the INA; 8 CFR 244.17.

The Government has appealed both the *Ramos* and *Saget* preliminary injunctions. Should the Government prevail in its challenge to the *Ramos* preliminary injunction, the Secretary’s determination to terminate TPS for Honduras, Nepal, Nicaragua, and Sudan will take effect no earlier than 120 days

from the issuance of any appellate mandate to the district court. The Secretary’s determination to terminate TPS for El Salvador will take effect no earlier than 365 days from the issuance of any appellate mandate to the *Ramos* district court. DHS provides this additional time for El Salvador TPS beneficiaries in part because there are almost 100,000 more such beneficiaries than in the combined TPS beneficiary populations of all the other five countries covered by this notice.<sup>2</sup> The additional period of 245 days beyond 120 days permits an orderly transition for beneficiaries of TPS from El Salvador as they return to their homeland. If the Government prevails in its appeals, DHS will also continue to monitor the circumstances of the affected beneficiaries under the other five TPS country designations covered by this notice. See INA 244(d)(3).

TPS for beneficiaries under Haiti’s designation may continue pursuant to the *Saget* preliminary injunction. However, should the Government prevail in its challenges to both the *Ramos* preliminary injunction and the

<sup>1</sup> El Salvador: July 8—Sept. 6, 2016 (corresponding to an end validity date of Mar. 9, 2018) or Jan. 18—Mar. 19, 2018 (corresponding to an end validity date of Sept. 9, 2019); Haiti: Aug. 25—Oct. 26, 2015 (corresponding to an end validity date of July 22, 2017), May 24—July 24, 2017 (corresponding to an end validity date of Jan. 22, 2018), or Jan. 18—Mar. 19, 2018 (corresponding to an end validity date of July 22, 2019); Honduras: May 16—July 15, 2016 (corresponding to an end validity date of Jan. 5, 2018); Dec. 15, 2017—Feb. 13, 2018 (corresponding to an end validity date of July 5, 2018) or June 5—Aug. 6, 2018 (corresponding to an

end validity date of Jan. 5, 2020); Nepal: Oct. 26—Dec. 27, 2016 (corresponding to an end validity date of June 24, 2018) or May 22—July 23, 2018 (corresponding to an end validity date of June 24, 2019); Nicaragua: May 16—July 15, 2016 (corresponding to an end validity date of Jan. 5, 2018) or Dec. 15, 2017—Feb. 13, 2018 (corresponding to an end validity date of Jan. 5, 2019); Sudan: Jan. 25—Mar. 25, 2016 (corresponding to an end validity date of Nov. 2, 2017) or Oct. 11, 2017—Dec. 11, 2017 (corresponding to an end validity date of Nov. 2, 2018).

<sup>2</sup> As reported to Congress on May 1, 2019 in the DHS Annual Congressional Report on TPS, there were 251,445 TPS beneficiaries from El Salvador at the end of 2018. In contrast, there were 56,114 beneficiaries from Haiti, 80,570 beneficiaries from Honduras, 14,594 beneficiaries from Nepal, 4,508 beneficiaries from Nicaragua, and 805 beneficiaries from Sudan. As reported, there are 94,854 more beneficiaries of TPS from El Salvador than the combined total of all other countries whose terminations are currently enjoined by court order.

*Saget* preliminary injunction, the Secretary's determination to terminate TPS for Haiti will take effect no earlier than 120 days from the issuance of the later of the two appellate mandates to the District Court. To the extent that a **Federal Register** notice has automatically extended TPS-related documentation beyond 120 days from the issuance of any appellate mandate to the District Court, DHS reserves the right to issue a subsequent **Federal Register** notice announcing an expiration date for the documentation that corresponds to the last day of the 120-day period. Should the Government move to vacate the *Bhattarai* order to stay proceedings, TPS will remain in effect for Honduras and Nepal for at least 180 days following an order of the District Court vacating the stay in proceedings.

#### Additional Notes

Nothing in this notice affects DHS's ongoing authority to determine on a case-by-case basis whether a TPS beneficiary continues to meet the eligibility requirements for TPS described in section 244(c) of the INA and the implementing regulations in part 244 of Title 8 of the Code of Federal Regulations.

**Notice of Compliance With the "Order Enjoining the Implementation and Enforcement of Determinations to Terminate the TPS Designations for El Salvador, Haiti, Nicaragua, and Sudan" in *Ramos*, the "Order Enjoining the Implementation and Enforcement of Determination to Terminate the TPS Designation of Haiti" in *Saget*, and the "Order to Stay Proceedings and Agreement to Stay the Determinations to Terminate the TPS Designations for Honduras and Nepal" in *Bhattarai***

The previously-announced determinations to terminate the existing designations of TPS for El Salvador, Nicaragua, and Sudan<sup>3</sup> will not be implemented or enforced unless and until the district court's order in *Ramos* is reversed and that reversal becomes final. The previously-announced determination to terminate the existing designation of TPS for Haiti will not be implemented or enforced unless and until the district court's orders in *Ramos* and *Saget* are reversed and those

reversals become final.<sup>4</sup> As required by the order to stay proceedings in *Bhattarai*, DHS will not implement or enforce the previously-announced determinations to terminate the existing TPS designations for Honduras and Nepal<sup>5</sup> unless and until the district court's order in *Ramos* enjoining implementation and enforcement of the determinations to terminate the TPS designations for El Salvador, Haiti, Nicaragua, and Sudan is reversed and that reversal becomes final for some or all of the affected countries, or by other order of the court. Any termination of TPS-related documentation for beneficiaries under the TPS designations for Haiti, Honduras, Nicaragua, Nepal, and Sudan will go into effect no earlier than 120 days, and no earlier than 365 days for beneficiaries under the TPS designation for El Salvador, following the issuance of any mandate to the district court, as described in the "Possible Future Action" section of this **Federal Register** notice.<sup>6</sup>

In further compliance with the orders, DHS is publishing this notice automatically extending the validity of the TPS-related documentation specified in the Supplementary Information section of this notice through January 4, 2021, for eligible beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. DHS will continue to issue notices that will automatically extend TPS-related documentation for all affected beneficiaries under the TPS designations for El Salvador, Honduras, Nicaragua, Nepal, and Sudan, so long as the *Ramos* preliminary injunction and *Bhattarai* order to stay proceedings remain in place; for Haiti so long as either the *Ramos* or *Saget* preliminary injunctions remain in place; or by other order of the court. However, should compliance with the *Ramos*, *Bhattarai*, and/or *Saget* court orders remain necessary, DHS may announce periodic re-registration procedures for eligible TPS beneficiaries in accordance with the INA and DHS regulations. DHS

further continues its commitment to a transition period, as described above.

All TPS beneficiaries must continue to maintain their TPS eligibility by meeting the requirements for TPS in INA section 244(c) and 8 CFR part 244. DHS will continue to adjudicate any pending TPS re-registration and pending late initial applications for affected beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nicaragua, Nepal, and Sudan, and continue to make appropriate individual TPS withdrawal decisions in accordance with existing procedures if an alien no longer maintains TPS eligibility. DHS will take appropriate steps to continue its compliance with the orders, and with all statutory requirements.

Dated: October 29, 2019.

**Kevin K. McAleenan,**  
*Acting Secretary.*

#### Approved Forms To Demonstrate Continuation of Lawful Status and TPS-Related Employment Authorization

- This **Federal Register** notice November 4, 2019
  - Through operation of this notice, certain TPS-related documentation, including EADs, of affected beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan are automatically extended through January 4, 2021.
  - A beneficiary granted TPS under the designation for El Salvador, Haiti, Honduras, Nepal, Nicaragua, or Sudan may show his or her EAD that has been automatically extended to his or her employer to demonstrate identity and continued TPS-related employment eligibility to meet Employment Eligibility Verification (Form I-9) requirements. A beneficiary granted TPS under a designation for one of these countries may also wish to show an employer this **Federal Register** notice, which explains that his or her EAD has been automatically extended.
  - Alternatively, such a TPS beneficiary may choose to show other acceptable documents that are evidence of identity and employment eligibility as described in the instructions to Form I-9.
  - Finally, such a TPS beneficiary may show a copy of this **Federal Register** notice, along with his or her EAD that has been automatically extended, or Form I-94, or Form I-797, as evidence of his or her lawful status, to law enforcement, Federal, state, and local government agencies, and private entities.

<sup>3</sup> See Termination of the Designation of El Salvador for Temporary Protected Status, 83 FR 2654 (Jan. 18, 2018); Termination of the Designation of Nicaragua for Temporary Protected Status, 82 FR 59636 (Dec. 15, 2017); Termination of the Designation of Sudan for Temporary Protected Status, 82 FR 47228 (Oct. 11, 2017).

<sup>4</sup> See Termination of the Designation of Haiti for Temporary Protected Status, 83 FR 2648 (Jan. 18, 2018).

<sup>5</sup> See Termination of the Designation of Honduras for Temporary Protected Status, 83 FR 26074 (June 5, 2018); Termination of the Designation of Nepal for Temporary Protected Status, 83 FR 23705 (May 22, 2018).

<sup>6</sup> An additional provision in the *Bhattarai* Order to Stay Proceedings states that if the Government moves to vacate that Order, TPS will remain in effect for Honduras and Nepal for at least 180 days following an order of the District Court vacating its stay of proceedings order.



• Employment Authorization Document (EAD)

**Am I eligible to receive an automatic extension of my current EAD using this Federal Register notice?**

Yes. Provided that you currently have a TPS-related EAD with the specified expiration dates below, this notice automatically extends your EAD as stated in Table 3 below.

TABLE 3—AFFECTED EADS

If your EAD has category code of A–12 or C–19 and an expiration date of:	Then this Federal Register notice extends your EAD through:
07/22/2017 .....	01/04/2021
11/02/2017 .....	01/04/2021
01/05/2018 .....	01/04/2021
01/22/2018 .....	01/04/2021
03/09/2018 .....	01/04/2021
06/24/2018 .....	01/04/2021
07/05/2018 .....	01/04/2021
11/02/2018 .....	01/04/2021
01/05/2019 .....	01/04/2021
04/02/2019 .....	01/04/2021
06/24/2019 .....	01/04/2021
07/22/2019 .....	01/04/2021

TABLE 3—AFFECTED EADS—Continued

If your EAD has category code of A–12 or C–19 and an expiration date of:	Then this Federal Register notice extends your EAD through:
09/09/2019 .....	01/04/2021
01/02/2020 .....	01/04/2021
01/05/2020 .....	01/04/2021
03/24/2020 .....	01/04/2021

**When hired, what documentation may I show to my employer as evidence of employment authorization and identity when completing Form I–9?**

You can find the Lists of Acceptable Documents on the third page of Form I–9 as well as the Acceptable Documents web page at [www.uscis.gov/i-9-central/acceptable-documents](http://www.uscis.gov/i-9-central/acceptable-documents). Employers must complete Form I–9 to verify the identity and employment authorization of all new employees. Within 3 days of hire, employees must present acceptable documents to their employers as evidence of identity and employment authorization to satisfy Form I–9 requirements.

You may present any document from List A (which provides evidence of both your identity and employment authorization) or one document from List B (which provides evidence of your identity) together with one document from List C (which provides evidence of your employment authorization), or you may present an acceptable receipt as described in the Form I–9 instructions. Employers may not reject a document based on a future expiration date. You can find additional information about Form I–9 on the I–9 Central web page at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central).

An EAD is an acceptable document under List A. See the section “How do my employer and I complete Form I–9 using my automatically extended employment authorization for a new job?” of this **Federal Register** notice for further information. If you present your EAD with one of the expiration dates specified below, you may also provide your employer with a copy of this **Federal Register** notice, which explains that your EAD has been automatically extended for a temporary period of time, through January 4, 2021, as follows:

TABLE 4—AFFECTED EADS AND FORM I–9

You may show your EAD to complete Form I–9 if your EAD has category code of A–12 or C–19 and bears an expiration date of:	Enter this date in Section 1 of Form I–9:	Your employer must reverify your employment authorization by:
07/22/2017 .....	01/04/2021	01/05/2021
11/02/2017 .....	01/04/2021	01/05/2021
01/05/2018 .....	01/04/2021	01/05/2021
01/22/2018 .....	01/04/2021	01/05/2021
03/09/2018 .....	01/04/2021	01/05/2021
06/24/2018 .....	01/04/2021	01/05/2021
07/05/2018 .....	01/04/2021	01/05/2021
11/02/2018 .....	01/04/2021	01/05/2021
01/05/2019 .....	01/04/2021	01/05/2021
04/02/2019 .....	01/04/2021	01/05/2021
06/24/2019 .....	01/04/2021	01/05/2021
07/22/2019 .....	01/04/2021	01/05/2021
09/09/2019 .....	01/04/2021	01/05/2021
01/02/2020 .....	01/04/2021	01/05/2021
01/05/2020 .....	01/04/2021	01/05/2021
03/24/2020 .....	01/04/2021	01/05/2021

**What documentation may I present to my employer for Form I–9 if I am already employed but my current TPS-related EAD is set to expire?**

Even though your EAD has been automatically extended, your employer is required by law to ask you to verify your continued employment authorization, and you will need to present your employer with evidence that you are still authorized to work. Once presented, your employer should correct the EAD expiration date in Section 2 of Form I–9. See the section, “What corrections should my current

employer make to Form I–9 if my employment authorization has been automatically extended?” of this **Federal Register** notice for further information. You may show this **Federal Register** notice to your employer to explain what to do for Form I–9 and to show that your EAD has been automatically extended through January 4 2021, as indicated in the above chart. Your employer may need to re-inspect your automatically extended EAD to check the Card Expires date and Category code if your employer did not

keep a copy of your EAD when you initially presented it.

The last day of the automatic extension for your EAD is January 4, 2021. Before you start work on January 5, 2021, your employer is required by law to reverify your employment authorization in Section 3 of Form I–9. At that time, you must present any document from List A or any document from List C on Form I–9, Lists of Acceptable Documents, or an acceptable List A or List C receipt described in the Form I–9 instructions to reverify employment authorization.

If your original Form I-9 was a previous version, your employer must complete Section 3 of the current version of Form I-9, and attach it to your previously completed Form I-9. Your employer can check the I-9 Central web page at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central) for the most current version of Form I-9.

Your employer may not specify which List A or List C document you must present and cannot reject an acceptable receipt.

#### Can I obtain a new EAD?

Yes, if you apply and remain eligible for TPS, you can obtain a new EAD. However, you do not need to apply for a new EAD in order to benefit from this automatic extension. If you are a beneficiary under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, or Sudan and want to obtain a new EAD valid through January 4, 2021, then you must file Form I-765 and pay the associated fee. If you do not want a new EAD, you do not have to file Form I-765 or pay the Form I-765 fee. If you do not want to request a new EAD now, you may file Form I-765 at a later date and pay the fee, provided that you still have TPS or a pending TPS application. You may file the application for a new EAD either before or after your current EAD has expired.

If you are unable to pay the application fee and/or biometric services fee, you may complete a Request for Fee Waiver (Form I-912) consistent with applicable form instructions. For more information on the application forms and fees for TPS, please visit the USCIS TPS web page at [www.uscis.gov/tps](http://www.uscis.gov/tps). Fees for Form I-821, Form I-765, and biometric services are also described in 8 CFR 103.7(b)(1)(i).

If you have a Form I-821 and/or Form I-765 application that is still pending as of January 2, 2020 (for beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, or Sudan); January 5, 2020 (for beneficiaries under the TPS designation for Honduras); or March 24, 2020 (for beneficiaries under the TPS designation for Nepal); then you should not file either application again. If your pending Form I-821 is approved, you will be issued Forms I-797 and I-94 through January 4, 2021. Similarly, if you have a pending TPS-related Form I-765 that is approved, your new EAD will be valid through January 4, 2021.

Your TPS itself continues as long as the preliminary injunction impacting your country's TPS designation remains in effect and in accordance with any relevant future **Federal Register** notices that DHS may issue respecting your

country's TPS designation, or your TPS is finally withdrawn for individual ineligibility under INA, section 244(c), or the applicable TPS designation is terminated as discussed in the "Possible Future Action" section of this **Federal Register** notice.

#### Can my employer require that I provide any other documentation to prove my status, such as proof of my citizenship from El Salvador, Haiti, Honduras, Nepal, Nicaragua, or Sudan?

No. When completing Form I-9, including reverifying employment authorization, employers must accept any documentation that appears on the Form I-9 Lists of Acceptable Documents that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers need not reverify List B identity documents. Employers may not request documentation that does not appear on the Lists of Acceptable Documents. Therefore, employers may not request proof of citizenship or proof of re-registration for TPS when completing Form I-9 for new hires or reverifying the employment authorization of current employees. If presented with an EAD that has been automatically extended, employers should accept such a document as a valid List A document, so long as the EAD reasonably appears to be genuine and relates to the employee. Refer to the "Note to Employees" section of this **Federal Register** notice for important information about your rights if your employer rejects lawful documentation, requires additional documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

#### How do my employer and I complete Form I-9 using my automatically extended employment authorization for a new job?

See the chart in the question above "When hired, what documentation may I show to my employer as evidence of employment authorization and identity when completing Form I-9?" to determine if your EAD has been automatically extended.

For Section 1, you should:

a. Check "An alien authorized to work until" and enter January 4, 2021, as the expiration date indicated in the chart; and

b. Enter your USCIS number or A-Number where indicated (your EAD or other document from DHS will have your USCIS number or A-Number printed on it; the USCIS number is the

same as your A-Number without the A prefix).

For Section 2, your employer should also use the chart in the question above "When hired, what documentation may I show to my employer as evidence of employment authorization and identity when completing Form I-9?" to determine if your EAD has been automatically extended. If it has been automatically extended, the employer should:

a. Write in the document title;  
b. Enter the issuing authority;  
c. Enter either the employee's A-Number or USCIS number from Section 1 in the Document Number field on Form I-9; and

d. Write January 4, 2021, as the expiration date indicated in the chart.

Before the start of work on January 5, 2021, employers are required by law to reverify the employee's employment authorization in Section 3 of Form I-9. If your original Form I-9 was a previous version, your employer must complete Section 3 of the current version of Form I-9 and attach it to your previously completed Form I-9. Your employer can check the I-9 Central web page at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central) for the most current version of Form I-9.

#### What corrections should my current employer make to Form I-9 if my employment authorization has been automatically extended?

If you presented a TPS-related EAD that was valid when you first started your job and your EAD has now been automatically extended, your employer may need to re-inspect your current EAD if they do not have a copy of the EAD on file. See the chart in the question above "When hired, what documentation may I show to my employer as evidence of employment authorization and identity when completing Form I-9?" to determine if your EAD has been automatically extended. If your employer determines that your EAD has been automatically extended, your employer should correct Section 2 of your previously completed Form I-9 as follows:

a. Write EAD EXT and January 4, 2021, as the last day of the automatic extension in the Additional Information field; and

b. Initial and date the correction.

**Note:** This is not considered a reverification. Employers do not need to complete Section 3 until either this notice's automatic extension of EADs has ended or the employee presents a new document to show continued employment authorization, whichever is sooner. By January 5, 2021, when the employee's automatically extended EAD



has expired, employers are required by law to reverify the employee's employment authorization in Section 3. If your original Form I-9 was a previous version, your employer must complete Section 3 of the current version of Form I-9 and attach it to your previously completed Form I-9. Your employer can check the I-9 Central web page at [www.uscis.gov/I-9Central](http://www.uscis.gov/I-9Central) for the most current version of Form I-9.

**If I am an employer enrolled in E-Verify, how do I verify a new employee whose EAD has been automatically extended?**

Employers may create a case in E-Verify for a new employee by providing the employee's A-Number or USCIS number from Form I-9 in the Document Number field in E-Verify. Employers should enter January 4, 2021 for the document expiration date.

**If I am an employer enrolled in E-Verify, what do I do when I receive a "Work Authorization Documents Expiring" alert for an automatically extended EAD?**

If you have an employee who provided a TPS-related EAD with an expiration date that has been automatically extended by this **Federal Register** notice, you should dismiss the "Work Authorization Documents Expiring" case alert. Before this employee starts work on January 5, 2021, as appropriate, you must reverify his or her employment authorization in Section 3 of Form I-9. Employers should not use E-Verify for reverification.

**Note to All Employers**

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This **Federal Register** notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules setting forth reverification requirements. For general questions about the employment eligibility verification process, employers may call USCIS at 888-464-4218 (TTY 877-875-6028) or email USCIS at [I-9Central@dhs.gov](mailto:I-9Central@dhs.gov). USCIS accepts calls and emails in English, Spanish, and many other languages. For questions about avoiding discrimination during the employment eligibility verification process (Form I-9 and E-Verify), employers may call the U.S. Department of Justice's Civil Rights Division, Immigrant and Employee Rights Section (IER) Employer Hotline at 800-255-8155 (TTY 800-237-2515).

IER offers language interpretation in numerous languages. Employers may also email IER at [IER@usdoj.gov](mailto:IER@usdoj.gov).

**Note to Employees**

For general questions about the employment eligibility verification process, employees may call USCIS at 888-897-7781 (TTY 877-875-6028) or email USCIS at [I-9Central@dhs.gov](mailto:I-9Central@dhs.gov). USCIS accepts calls in English, Spanish, and many other languages. Employees or applicants may also call the IER Worker Hotline at 800-255-7688 (TTY 800-237-2515) for information regarding employment discrimination based upon citizenship, immigration status, or national origin, including discrimination related to Form I-9 and E-Verify. The IER Worker Hotline provides language interpretation in numerous languages.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Form I-9 instructions. Employers may not require extra or additional documentation beyond what is required for Form I-9 completion. Further, employers participating in E-Verify who receive an E-Verify case result of "Tentative Nonconfirmation" (TNC) must promptly inform employees of the TNC and give such employees an opportunity to contest the TNC. A TNC case result means that the information entered into E-Verify from an employee's Form I-9 differs from records available to DHS.

Employers may not terminate, suspend, delay training, withhold pay, lower pay, or take any adverse action against an employee because of the TNC while the case is still pending with E-Verify. A "Final Nonconfirmation" (FNC) case result is received when E-Verify cannot verify an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Work-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin, contact IER's Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information about proper nondiscriminatory Form I-9 and E-Verify procedures is available on the IER website at [www.justice.gov/ier](http://www.justice.gov/ier) and on the USCIS and E-Verify websites at

[www.uscis.gov/i-9-central](http://www.uscis.gov/i-9-central) and [www.e-verify.gov](http://www.e-verify.gov).

**Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)**

While Federal Government agencies must follow the guidelines laid out by the Federal Government, state and local government agencies establish their own rules and guidelines when granting certain benefits. Each state may have different laws, requirements, and determinations about what documents you need to provide to prove eligibility for certain benefits. Whether you are applying for a federal, state, or local government benefit, you may need to provide the government agency with documents that show you are a TPS beneficiary, show you are authorized to work based on TPS or other status, and/or that may be used by DHS to determine whether you have TPS or other immigration status. Examples of such documents are:

- Your current EAD;
- Your automatically extended EAD with a copy of this **Federal Register** notice, providing an automatic extension of your currently expired or expiring EAD;
- A copy of your Form I-94 or Form I-797 that has been automatically extended by this notice and a copy of this notice;
- Any other relevant DHS-issued document that indicates your immigration status or authorization to be in the United States, or that may be used by DHS to determine whether you have such status or authorization to remain in the United States.

Check with the government agency regarding which document(s) the agency will accept.

Some benefit-granting agencies use the USCIS Systematic Alien Verification for Entitlements Program (SAVE) program to confirm the current immigration status of applicants for public benefits. While SAVE can verify when an alien has TPS, each agency's procedures govern whether they will accept a particular document, such as an EAD or an I-94. If an agency accepts the type of TPS-related document you are presenting, such as an EAD or I-94, the agency should accept your automatically extended TPS-related document. You should:

- a. Present the agency with a copy of this **Federal Register** notice showing the extension of TPS-related documentation, in addition to your most recent TPS-related document with your A-Number or I-94 number;

b. Explain that SAVE will be able to verify the continuation of your TPS using this information; and

c. Ask the agency to initiate a SAVE query with your information and follow through with additional verification steps, if necessary, to get a final SAVE response showing the validity of your TPS.

You can also ask the agency to look for SAVE notices or contact SAVE if they have any questions about your immigration status or automatic extension of TPS-related documentation. In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but, occasionally, verification can be delayed. You can check the status of your SAVE verification by using CaseCheck at [save.uscis.gov/casecheck/](http://save.uscis.gov/casecheck/), then by clicking the "Check Your Case" button. CaseCheck is a free service that lets you follow the progress of your SAVE verification case using your date of birth and one immigration identifier number. If an agency has denied your application based solely or in part on a SAVE response, the agency must offer you the opportunity to appeal the decision in accordance with the agency's procedures. If the agency has received and acted upon or will act upon a SAVE verification case and you do not believe the response is correct, you may make an InfoPass appointment for an in-person interview at a local USCIS office. Detailed information on how to make corrections or update your immigration record, make an appointment, or submit a written request to correct records under the Freedom of Information Act can be found on the SAVE website at [www.uscis.gov/save](http://www.uscis.gov/save).

[FR Doc. 2019-24047 Filed 11-1-19; 8:45 am]

BILLING CODE 9111-97-P

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7015-N-09]

### 60-Day Notice of Proposed Information Collection: Public Housing Capital Fund Program

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, PIH, HUD.

**ACTION:** Notice.

**SUMMARY:** HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

**DATES:** *Comments Due Date:* January 3, 2020.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410-5000; telephone 202-402-3400 (this is not a toll-free number) or email at [Colette.Pollard@hud.gov](mailto:Colette.Pollard@hud.gov) for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

#### FOR FURTHER INFORMATION CONTACT:

Arlette Mussington, Office of Policy, Programs and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street SW, (L'Enfant Plaza, Room 2206), Washington, DC 20410; telephone 202-402-4109, (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at (800) 877-8339. Copies of available documents submitted to OMB may be obtained from Ms. Mussington.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

#### A. Overview of Information Collection

*Title of Information Collection:* Public Housing Capital Fund Program.

*OMB Approval Number:* 2577-0157.

*Type of Request:* Revision of a currently approved collection.

*Form Numbers:* HUD Form 50075.1, HUD-5084, HUD-5087, HUD-51000, HUD-51001, HUD-51002, HUD-51003, HUD-5104, HUD-51915, HUD-51915-

A, HUD-51971-I-II, HUD-52396, HUD-52427, HUD-52482, HUD-52483-A, HUD-52484, HUD-52485, HUD-52651-A, HUD-52829, HUD-52830, HUD-52833, HUD-52845, HUD-52846, HUD-52847, HUD-52849, HUD-53001, HUD-53015, HUD-5370, HUD-5370EZ, HUD-5370C, HUD-5372, HUD-5378, HUD-5460, HUD-52828, 50071, 5370-C1, 5370-C2.

*Description of the need for the information and proposed use:* Each year Congress appropriates funds to approximately 3,015 Public Housing Authorities (PHAs) for modernization, development, financing, and management improvements. The funds are allocated based on a complex formula. The forms in this collection are used to appropriately disburse and utilize the funds provided to PHAs. Additionally, these forms provide the information necessary to approve a financing transaction in addition to any Capital Fund Financing transactions. Respondents include the approximately 3,015 PHA receiving Capital Funds and any other PHAs wishing to pursue financing.

This proposed information collection has been revised to include the following changes below:

1. HUD has removed all of the hours for the annual submission of form HUD-50075.2 and reduced the hours for HUD-50075.1. HUD is now collecting that information electronically thru the Energy Performance Information Center (EPIC) system. These hours were transferred to OMB No. 2577-0274 Energy Performance Information Center (EPIC). HUD will continue to use the HUD-50075.1 for the Capital Fund set aside grant programs, Lead Based Paint, Emergency Safety and Security, and Emergency and Disaster. Only those hours remain in 2577-0157.1. As a result, the burden hours were decreased 9,260 hours

2. Due to conversion of Public Housing to the Section 8 thru the Rental Assistance Demonstration (RAD) Program, the number of PHAs receiving Capital Funds has been reduced from 3,100 to 3,015. This has reduced the number of hours by 3,774.

3. The total reduction in burden hours are 13,034.

*Respondents (i.e. affected public):* Public Housing Authorities.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
HUD-5084 .....	3,015	1	3,015	1.5	4,522.50	\$34	\$153,765
HUD-5087 .....	50	1	50	3	150	56	8,400
HUD-50071 .....	10	1	10	0.5	5	56	280
HUD-50075.1 .....	300	1	300	2.2	660	34	204,600



most expensive and substantive part of the finished pump assembly. We found that it imparted the “very essence” of the pump assembly, as it turned the impeller and moved the fluid through the pump.

The question presented is whether the contactless IC is substantially transformed when it is assembled together with the other components. We note that in NFC technology, an NFC chip and an antenna are combined to transmit information across short distances. In this case, the driver’s serial ID number is transmitted to the NFC reader for tracking purposes. Therefore, the NFC chip is central to the function of the finished NFC fob.

Similar to the shoe upper in *Uniroyal*, the ribbon in *Grafton Spools*, and the electric motor in HQ H303864, we find that the NFC chip constitutes the “very essence” of the finished NFC fob. After the chip is assembled into the finished fob, its use remains unchanged. Therefore, we find that the country of origin of the NFC fob will be the country where the NFC chip is produced. In most cases, the country of origin will be Taiwan, but when the Ultralight C—contactless ticket IC is unavailable from Taiwan, then the country of origin of the NFC fob will be where the chip is sourced, which in this case is either Thailand or Singapore.

### Holding

The country of origin of the three telematics devices, the satellite devices, and the NFC reader for purposes of U.S. Government procurement is Canada.

The country of origin of the NFC keyring fob for purposes of U.S. Government procurement is the country of origin of the contactless IC, which is usually Taiwan. However, if the contactless IC is sourced from Thailand or Singapore, then the country of origin for procurement would be Thailand or Singapore as the case may be.

Notice of this final determination will be given in the **Federal Register**, as required by 19 CFR 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days of publication of the **Federal Register** Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,  
Alice A. Kipel,

Executive Director Regulations & Rulings,  
Office of Trade.

[FR Doc. 2020–27022 Filed 12–8–20; 8:45 am]

BILLING CODE 9111–14–P

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2676–20; DHS Docket No. USCIS–2019–0020]

RIN 1615–ZB83

### Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal

**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** Through this notice, the Department of Homeland Security (DHS) announces actions to ensure its continued compliance with the preliminary injunction orders of the U.S. District Court for the Northern District of California in *Ramos, et al. v. Nielsen, et al.*, No. 18–cv–01554 (N.D. Cal. Oct. 3, 2018) (“*Ramos*”) and the U.S. District Court for the Eastern District of New York in *Saget, et al., v. Trump, et al.*, No. 18–cv–1599 (E.D.N.Y. Apr. 11, 2019) (“*Saget*”), and with the order of the U.S. District Court for the Northern District of California to stay proceedings in *Bhattarai v. Nielsen*, No. 19–cv–00731 (N.D. Cal. Mar. 12, 2019) (“*Bhattarai*”). A panel of the U.S. Court of Appeals for the Ninth Circuit vacated the injunction in *Ramos* on September 14, 2020. However, because the appellate court has not issued its directive to the district court to make that ruling effective, the injunction remains in place at this time. See *Ramos, et al., v. Wolf, et al.*, No. 18–16981 (9th Cir., September 14, 2020). Beneficiaries under the Temporary Protected Status (TPS) designations for El Salvador, Nicaragua, Sudan, Honduras, and Nepal will retain their TPS while the preliminary injunction in *Ramos* and the *Bhattarai* order remain in effect, provided that an alien’s TPS is not withdrawn because of individual ineligibility. Beneficiaries under the TPS designation for Haiti will retain their TPS while either of the preliminary injunctions in *Ramos* or *Saget* remain in effect, provided that an alien’s TPS is not withdrawn because of individual ineligibility. This notice further provides information on the

automatic extension of the validity of TPS-related Employment Authorization Documents (EADs); Notices of Action (Forms I–797); and Arrival/Departure Records (Forms I–94), (collectively “TPS-related documentation”); for those beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal.

**DATES:** DHS is automatically extending the validity of TPS-related documentation for beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal for nine months through October 4, 2021, from the current expiration date of January 4, 2021.

#### FOR FURTHER INFORMATION CONTACT:

- You may contact Maureen Dunn, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, by mail at 5900 Capital Gateway Dr, Camp Springs, MD 20529–2140; or by phone at 800–375–5283.

- For further information on TPS, please visit the USCIS TPS web page at [www.uscis.gov/tps](http://www.uscis.gov/tps).

- If you have additional questions about TPS, please visit [uscis.gov/tools](http://uscis.gov/tools). Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our U.S. Citizenship and Immigration Services (USCIS) Contact Center at 800–375–5283 (TTY 800–767–1833).

- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at [www.uscis.gov](http://www.uscis.gov), or visit the USCIS Contact Center at [uscis.gov/contactcenter](http://uscis.gov/contactcenter).

- Further information will also be available at local USCIS offices upon publication of this notice.

#### SUPPLEMENTARY INFORMATION:

##### Table of Abbreviations

CFR—Code of Federal Regulations  
 DHS—U.S. Department of Homeland Security  
 EAD—Employment Authorization Document  
 EOIR—Executive Office for Immigration Review  
 FNC—Final Nonconfirmation  
 Form I–765—Application for Employment Authorization  
 Form I–797—Notice of Action  
 Form I–821—Application for Temporary Protected Status  
 Form I–9—Employment Eligibility Verification  
 Form I–912—Request for Fee Waiver  
 Form I–94—Arrival/Departure Record  
 Government—U.S. Government  
 INA—Immigration and Nationality Act

IER—U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section  
 SAVE—USCIS Systematic Alien Verification for Entitlements Program  
 Secretary—Secretary of Homeland Security  
 TNC—Tentative Nonconfirmation  
 TPS—Temporary Protected Status  
 TTY—Text Telephone  
 USCIS—U.S. Citizenship and Immigration Services

### Background on TPS

- TPS is a temporary immigration status granted to eligible nationals of a country designated for TPS under the Immigration and Nationality Act (INA) or to eligible persons without nationality who last habitually resided in the designated country.

- During the TPS designation period, TPS beneficiaries are eligible to remain in the United States, may not be removed, and are authorized to obtain EADs so long as they continue to meet the requirements of TPS.

- TPS beneficiaries may travel abroad temporarily with the prior consent of DHS.

- The granting of TPS does not result in or lead to lawful permanent resident status.

- To qualify for TPS, beneficiaries must meet the eligibility standards at INA section 244(c)(1)–(2), 8 U.S.C. 1254a(c)(1)–(2).

- When the Secretary of Homeland Security (the Secretary) terminates a country's TPS designation, beneficiaries return to one of the following:

- The same immigration status or category that they maintained before TPS, if any (unless that status or category has since expired or been terminated); or

- Any other lawfully obtained immigration status or category they received while registered for TPS, as long as it is still valid on the date TPS terminates.

### Purpose of this Action

This notice ensures DHS's continued compliance with various court orders issued by the federal district courts in the *Ramos*, *Bhattarai*, and *Saget* lawsuits that require DHS to maintain the TPS designations for El Salvador, Haiti, Sudan, Nicaragua, Honduras, and Nepal, as well as the TPS and TPS-related documentation for eligible affected beneficiaries.<sup>1</sup> The U.S. Court

of Appeals for the Ninth Circuit vacated the district court's preliminary injunction in *Ramos* on September 14, 2020, holding that the decision to designate, extend, or terminate TPS is not subject to judicial review. However, the appellate order is not currently effective because the Ninth Circuit has not issued any directive to carry out the order to the federal district court.<sup>2</sup> Therefore, the *Ramos* preliminary injunction remains in effect. In addition, the order of the district court in *Bhattarai* staying proceedings and approving the parties' stipulated agreement to continue TPS and TPS-related documentation for eligible beneficiaries from Nepal and Honduras remains in effect. The *Saget* district court's order prohibiting the termination of TPS for Haiti also remains in effect while the decision is on appeal to the U.S. Court of Appeals for the Second Circuit. Affected TPS beneficiaries from the six countries will retain their status, provided they continue to meet all the individual requirements for TPS eligibility described in INA section 244(c) and 8 CFR 244. As necessary, DHS will publish future information in the **Federal Register** to ensure its compliance with any relevant court orders that may be issued after the date of this notice.

DHS has initially published notices to ensure its compliance with the *Ramos* preliminary injunction on October 31, 2018 and March 1, 2019, and the *Bhattarai* order to stay proceedings on May 10, 2019. *See* 83 FR 54764; 84 FR 7103; and 84 FR 20647. The Department last published a notice to ensure its continued compliance with the combined orders in *Ramos*, *Bhattarai*, and *Saget* on November 4, 2019. That notice automatically extended certain TPS and TPS-related documentation through January 4, 2021 for all eligible TPS beneficiaries covered by the courts' orders. *See* 84 FR 59403. Through this **Federal Register** notice, DHS announces actions to ensure its continued compliance with the district court orders in these three lawsuits while those orders remain in effect.

The TPS designations for El Salvador, Nicaragua, and Sudan will remain in effect, as required by the *Ramos* district court order, so long as the preliminary injunction remains in effect. The TPS

designation for Haiti will remain in effect, as required by the preliminary injunction orders in both *Ramos* and *Saget*, so long as either of those preliminary injunctions remain in effect. The TPS designations for Honduras and Nepal will remain in effect so long as the *Bhattarai* order staying proceedings and approving the parties' stipulated agreements continues in effect. Affected TPS beneficiaries under the TPS designations for El Salvador, Nicaragua, Sudan, Haiti, Honduras, and Nepal will retain their TPS and their TPS-related documentation will continue to be valid in accordance with the specific orders that affect the TPS designations regarding their individual countries, provided that the affected beneficiaries continue to meet all the individual requirements for TPS. *See* INA section 244(c)(3). *See also* 8 CFR 244.14. DHS will not terminate TPS for any of the affected countries pending final disposition of the *Ramos* appeal, or for Haiti pending both *Ramos* and *Saget* appeals, including through any additional appellate channels in which relief may be sought, or by other orders of the court.

DHS is further announcing it is automatically extending, through October 4, 2021, the validity of certain TPS-related documentation, as specified in this notice, for beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal provided that the affected beneficiaries remain individually eligible for TPS.

### Automatic Extension of EADs Issued Under the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal

Through this **Federal Register** notice, DHS automatically extends the validity of EADs listed in Table 1 below issued to beneficiaries under the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal. Such aliens may show their EAD to employers to demonstrate they have employment authorization and may wish to also show employers this **Federal Register** notice to explain that their TPS-Related Documentation has been automatically extended through October 4, 2021. This Notice explains how TPS beneficiaries, their employers, and benefit-granting agencies may determine which EADs are automatically extended and how this affects the Form I–9, Employment Eligibility Verification, E-Verify, and USCIS Systematic Alien Verification for Entitlements (SAVE) processes. Additionally, a beneficiary under the

<sup>1</sup> *See Ramos, et al. v. Nielsen, et al.*, No. 18–cv–01554 (N.D. Cal. Oct. 3, 2018) (district court granted preliminary injunction against terminations of TPS for El Salvador, Haiti, Sudan, and Nicaragua) (“*Ramos*”); *Saget, et al., v. Trump, et al.*, No. 18–cv–1599 (E.D.N.Y. Apr. 11, 2019) (district court granted preliminary injunction against termination of TPS for Haiti) (“*Saget*”); and *Bhattarai, et al. v.*

*Nielsen, et al.*, No. 19–cv–00731 (N.D. Cal. Mar. 12, 2019) (district court stayed proceedings until *Ramos* appeal decided and approved parties' stipulation for continued TPS and issuance of TPS-related documentation to eligible, affected beneficiaries of TPS for Honduras and Nepal during the stay and pendency of the appeal) (“*Bhattarai*”).

<sup>2</sup> *See Ramos, et al., v. Wolf, et al.*, No. 18–16981 (9th Cir., September 14, 2020).



TPS designation for any of these countries who has applied for a new EAD but who has not yet received his or her new EAD is covered by this automatic extension, provided that the EAD he or she possesses contains one of the expiration dates listed in Table 1 below.

TABLE 1—AFFECTED EADS

If an EAD has a category code of A–12 or C–19 and an expiration date of:	Then the validity of the EAD is extended through:
07/22/2017	10/04/2021
11/02/2017	10/04/2021
01/05/2018	10/04/2021
01/22/2018	10/04/2021
03/09/2018	10/04/2021
06/24/2018	10/04/2021
07/05/2018	10/04/2021
11/02/2018	10/04/2021
01/05/2019	10/04/2021

TABLE 1—AFFECTED EADS—  
Continued

If an EAD has a category code of A–12 or C–19 and an expiration date of:	Then the validity of the EAD is extended through:
04/02/2019	10/04/2021
06/24/2019	10/04/2021
07/22/2019	10/04/2021
09/09/2019	10/04/2021
01/02/2020	10/04/2021
01/05/2020	10/04/2021
03/24/2020	10/04/2021
01/04/2021	10/04/2021

**Automatic Extension of Forms I–94 and Forms I–797**

Also through this **Federal Register** notice, DHS automatically extends the validity periods of the Forms I–94 and Forms I–797 listed in Table 2 below previously issued to beneficiaries under

the TPS designations for El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal. These extensions apply only if the TPS beneficiary properly filed for re-registration during either the most recent DHS-announced registration period for their country, or any applicable previous DHS-announced re-registration periods for the alien's country,<sup>3</sup> or has a re-registration application that remains pending. This notice does not extend the validity periods of Forms I–94 or Forms I–797 for any TPS beneficiary who failed to file for TPS re-registration during one of the applicable previous DHS-announced re-registration periods, or for whom a re-registration request has been finally denied. In addition, the extensions do not apply for any beneficiary from whom TPS has been withdrawn.

TABLE 2—AFFECTED FORMS I–94 AND I–797<sup>4</sup>

Country	Beginning date of validity:	End date of validity:	Validity of forms I–94 and I–797 extended through:
El Salvador .....	Sept. 10, 2016 .....	Mar. 9, 2018 .....	10/04/2021
Haiti .....	Mar. 10, 2018 .....	Sept. 9, 2019 .....	10/04/2021
.....	Jan. 23, 2016 .....	July 22, 2017 .....	10/04/2021
.....	July 23, 2017 .....	Jan. 22, 2018 .....	10/04/2021
.....	Jan. 23, 2018 .....	July 22, 2019 .....	10/04/2021
Honduras .....	July 6, 2016 .....	Jan. 5, 2018 .....	10/04/2021
.....	Jan. 6, 2018 .....	July 5, 2018 .....	10/04/2021
.....	July 6, 2018 .....	Jan. 5, 2020 .....	10/04/2021
Nepal .....	Dec. 25, 2016 .....	June 24, 2018 .....	10/04/2021
.....	June 25, 2018 .....	June 24, 2019 .....	10/04/2021
Nicaragua .....	July 6, 2016 .....	Jan. 5, 2018 .....	10/04/2021
.....	Jan. 6, 2018 .....	Jan. 5, 2019 .....	10/04/2021
Sudan .....	May 3, 2016 .....	Nov. 2, 2017 .....	10/04/2021
.....	Nov. 3, 2017 .....	Nov. 2, 2018 .....	10/04/2021

**Application Procedures**

Current beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan do not need to pay a fee or file any application, including Application for Employment Authorization (Form I–765), to maintain their TPS benefits through October 4, 2021, provided that they have properly re-registered for TPS during either the most recent DHS-announced registration period for their country, or any applicable previous re-registration period described in Footnote 3.

TPS beneficiaries who have failed to re-register properly for TPS during any of these re-registration periods may still

file an Application for Temporary Protected Status (Form I–821), but must demonstrate “good cause” for failing to re-register on time, as required by law. See INA section 244(c)(3)(C) (TPS beneficiary’s failure to register without good cause in form and manner specified by DHS is ground for TPS withdrawal); 8 CFR 244.17(b) and Form I–821 instructions.

Any currently eligible beneficiary who does not presently have a pending EAD application under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, or Sudan may file Form I–765 with appropriate fee.

**Possible Future Actions**

In order to comply with statutory requirements for TPS while the district courts’ orders or any superseding court order concerning the beneficiaries under the TPS designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan are pending, DHS anticipates requiring these beneficiaries to re-register and will announce the re-registration procedures in a future **Federal Register** notice. DHS has the authority to conduct TPS re-registration in accordance with section 244(c)(3)(C) of the INA and 8 CFR 244.17. Through the re-registration process, which is generally conducted every 12 to 18 months while a country is designated

<sup>3</sup> El Salvador: July 8–Sept. 6, 2016, or Jan. 18–Mar. 19, 2018; Haiti: Aug. 25–Oct. 26, 2015, May 24–July 24, 2017, or Jan. 18–Mar. 19, 2018; Honduras: May 16–July 16, 2016; Dec. 15, 2017–Feb. 13, 2018 or June 5–Aug. 6, 2018; Nepal: Oct. 26–Dec. 27, 2016 or May 22–July 23, 2018;

Nicaragua: May 16–July 15, 2016 or Dec. 15, 2017–Feb. 13, 2018; Sudan: Jan. 25–March 25, 2016 or Oct. 11, 2017–Dec. 11, 2017.

<sup>4</sup> Your Forms I–94 and I–797 may show a different beginning date of validity than those listed

here if you were a late initial filer (LIF) at the time because the forms would have the date of approval of your LIF application for TPS. As long as they bear an end date of validity listed in this chart, then they are automatically extended by this Notice.